

RECESS MEETING OF AUGUST 18, 2020

Be it remembered that the Mayor and Board of Aldermen of the City of Ocean Springs met in a Recess Meeting at the Civic Center in the City of Ocean Springs at 6:00 p.m. on August 18, 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, Deputy City Clerk Vicky Hupe, Fire Chief Derek McCoy, Police Chief Mark Dunston, Planning & Grants Administrator Carolyn Martin, Building Official Darrell Stringfellow, Public Works Director Allan Ladnier, Parks & Recreation Director Stephen Glorioso, Human Resources & Risk Management Director Mindy McDowell 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 Cox and unanimously carried to accept the agenda and the addendum.

PRESENTATION

Deborah Aiken from Alexander, Van Loon, Sloan, Levens, Farve, PLLC (AVL), presented to the Board the Annual Financial Report for the fiscal year ending September 30, 2019. She stated there were no difficulties, other than COVID-19, in completing the audit. She said as of September 30, 2019 the City's net position was \$41 million and there were no instances of non-compliance.

PUBLIC HEARINGS

Item 4.a) Motion was made by Alderman Authement, seconded by Aldermen Gill and unanimously carried to open the Public Hearing for the rezoning request to CMX-2 Community Commercial District from CMX-1 Neighborhood Commercial District at 1405 Government Street (Exhibit 4-a).

The Planning & Grants Administrator said the Planning Commission recommended approval of rezoning. She said the surrounding properties are a mix of CMX-1 and CMX-2, with the primary difference being the allowance of shared parking. She said if approved, the proposal is for a two story building with office space and residential rentals.

Peter Russell with Bay Homes was present to answer any questions.

James Lewis asked if the property is currently owned by developer. Peter Russell responded that the property is under contract for purchase.

Motion was made by Alderman Blackman, seconded by Aldermen Authement and unanimously carried to come out of Public Hearing.

Motion was made by Alderman Blackman and seconded by Aldermen Authement to approve the rezoning of 1405 Government Street and adopt an amendment to Ordinance 2019-01 rezoning property herein described from CMX-1 to CMX-2.

The motion carried with a roll call vote as follows:

Alderman Gill	Aye
Alderman Authement	Aye
Alderman Bellman	Aye
Alderman Cox	Aye
Alderman Papania	Aye
Alderman Blackman	Aye
Alderman Impey	Aye

Item 4.b) Motion was made by Alderman Blackman, seconded by Alderman Gill and unanimously carried to open the Public Hearing for the request for Certificate of Appropriateness for exterior modifications at 1014 Bowen Avenue PID 60137496.000 (Exhibit 4-b).

The Planning & Grants Administrator said the Historic Preservation Commission recommended approval, contingent on the fence height clarification. The fence height has been clarified, four and a half feet in front of the house. No public comment was received.

Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to close the Public Hearing.

Motion was made by Alderman Authement, seconded by Alderman Gill and unanimously carried to approve the request for a Certificate of Appropriateness (COA) for the exterior modifications at 1014 Bowen Avenue.

AGENDA PUBLIC COMMENT

Cecilia Baker, agenda item 9-g, appeal to remove a Cypress tree at 119 Surgeres Place. She said that she was not home when the Building Official came to view the trees. She said there are roots in the grass and the tree will become more of a nuisance. She is requesting approval of an appeal to allow removal of tree.

OLD BUSINESS

Motion was made by Alderman Papania and seconded by Alderman Gill to adopt a proposed Ordinance amending Ordinance No. 5-1972 by removing the position of Arts & Culture Coordinator from the Civil Service system (Exhibit 6-a).

The motion carried with a roll call vote as follows:

Alderman Gill	Aye
Alderman Authement	Nay
Alderman Bellman	Aye
Alderman Cox	Aye
Alderman Papania	Aye
Alderman Blackman	Nay
Alderman Impey	Aye

John Lockard from Lockard & Williams Insurance gave the Board an update on the City health insurance renewal. He explained that the renewal increase to the City will be 3.4% with policy changes that increase co-pays, prescription costs, and max out of pocket. He said United Healthcare will offer cash cards that will pay co-pays at preferred physicians, up to \$200 per individual and \$500 per family. Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to accept the health insurance renewal presented by John Lockard.

Alderman Authement said he, the Mayor, Alderman Cox and the City Clerk met with Mississippi Power about repairs and maintenance for the Front Beach lights that were damaged during Hurricane Nate. He said they will be meeting again August 30th to discuss available options. The City Clerk said she has an appeal with FEMA for repairs but the appeal could take two years. Alderman Blackman said to continue with the appeal but move forward with repairs since two years is too long to wait.

NEW BUSINESS

The City Clerk said the School District submitted their budget for fiscal year 2020-2021 and they have a 0.56 millage increase due to financing of bonds (Exhibit 7-a). Motion was made by Alderman Cox, seconded by Alderman Impey and unanimously carried to accept the Ocean Springs School District Budget FY 2020-2021.

CONSENT AGENDA

Motion was made by Alderman Gill, seconded by Alderman Authement and unanimously carried to approve the Consent Agenda except for item h pulled by Alderman Bellman.

- a) Approve Special Event permit application for Art Walk 2020; Saturday, September 5, 2020 from 10:00 a.m. to 6:00 p.m. at portions of Washington Avenue, Government Street, Pleasant-Fallo parking lot and Cornerstone parking lot; no cost to the City, applicant pays associated event cost (Exhibit 8-a)

- b) Approve Run/Walk permit application for 9k Bridge Run – Gulf Coast Running Club, National Multiple Sclerosis Society; Saturday, September 12, 2020 from 8:00 a.m. to 10:00 a.m.; OS Beach & Bridge Pathway; no cost to the City , applicant pays associated event cost (Exhibit 8-b)
- c) Authorize to waive \$50 sign permit fee for GC United Futball Club finding it will advertise and bring into favorable notice the opportunities, possibility and resources for the City (Exhibit 8-c)
- d) Reappoint AVL as the City Auditor for Audit of FY 19-20 (Exhibit 8-d)
- e) Accept Minutes: Finance Committee July 30, 2020 (Exhibit 8-e)
- f) Ratify check to Harold Mayfied in the amount of \$151.46 for the purchase of microphones for Board meetings (Exhibit 8-f)
- g) Ratify check to Stephen Glorioso in the amount of \$150.00 to reestablish Parks Department petty cash (Exhibit 8-g)
- h) Ratify check to James Jones in the amount of \$2,000.00 for final payment of tennis professional contract (Exhibit 8-h)
- i) Accept monthly Police Department Report for July 2020 (Exhibit 8-i)
- j) Authorize out of state travel for employees #2349 and #2188; August 17-21, 2020 to attend Emergency Vehicle Operations Instructor Training at Texas A&M Engineering Extension Bryan, Texas (Exhibit 8-j)
- k) Accept monthly Fire Department Report for July 2020 (Exhibit 8-k)
- l) Human Resources action items (Exhibit 8-l):
 - a. Authorize employment of William Nichols, Patrolman Recruit, effective on or about August 19, 2020; \$13.95 hourly rate; pending successful completion of all pre-employment requirements
 - b. Authorize removal of Yardman Danny Harris from probationary status to full time status effective immediately
- m) Approve transfer of asset #7637 Dehumidifier from Planning Department to Public Works (Exhibit 8-m)
- n) Approve request of a variance from the UDC section that limits accessory buildings; 109 Sherwood Circle PID 61375014.000 (Exhibit 8-n)
- o) Approve request of a variance from the CMX2 District minimum parking requirements; 1405 Government PID 6119424.000 (Exhibit 8-o)
- p) Adopt Resolution requesting donation of fill dirt from Jackson County Board of Supervisors; Authorize Mayor to execute contract with Twin L Construction for Tidelands – OS Front Beach Living Shoreline (Exhibit 8-p)
- q) Authorize Mayor to execute grant agreement for funds from Office of Highway Safety for FY21 occupant protection enforcement (Exhibit 8-q)
- r) Accept Building Department July 2020 Permit Report (Exhibit 8-r)
- s) Approve Tree Protection Department recommendations – Tree Applications through August 12, 2020 (Exhibit 8-s)
- t) Accept Code Enforcement Report through August 13, 2020 (Exhibit 8-t)
- u) Approve Facility Use Agreement with OS Baseball Organization – August 1st through November 6, 2020 (Exhibit 8-v)

Alderman Bellman asked the City Attorney about the Tennis instructor's clients and the City's responsibility to those clients. She replied that the Tennis instructor was a contract employee and the City has no responsibility to or knowledge of his clients. Motion was made by Alderman Bellman, seconded by Alderman Cox and unanimously carried to approve item h, ratify check to James Jones in the amount of \$2,000.00 for final payment of tennis professional contract (Exhibit 8-h).

DEPARTMENT REPORTS

MAYOR:

Alderman Cox requested to table discussion of the sale of City owned property (Exhibit 9-a) until all properties could be reviewed.

CITY CLERK:

Motion was made by Alderman Authement, seconded by Alderman Gill and unanimously carried to approve the Docket of Claims; the Board finds that all expenses are lawful and appropriate (Exhibit 9-b).

The City Clerk gave the Board two options for holding the public hearing for the proposed budget (Exhibit 9-c). The consensus of the Board was to hold the public hearing on September 3rd and the budget will be adopted September 15th.

COMMUNITY DEVELOPMENT & PLANNING:

The Planning & Grants Administrator said the right of way for purchase meets the City's needs for drainage, water, and lift station at Knapp Road. She said there was an appraisal and the City offered the property owner appraised value but he countered at \$6,000. She said the amount is reasonable, prudent and the purchase would be of public interest. Alderman Blackman questioned the counter offer and the legality of paying more than appraised value. The City Attorney responded that it is a necessity which allows the City to pay more than appraised value. Motion was made by Alderman Cox and seconded by Alderman Bellman to adopt a Resolution to make a formal offer for the purchase of right-of-way and proceed with closing for a portion of PID #61003023.000 (Exhibit 9-d).

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>Nay</u>
Alderman Impey	<u>Aye</u>

The Planning & Grants Administrator said there is a balance of approximately \$8,700 in a grant from DMR for Colonial Estates. She said the request for scope change for DMR Grant agreement #OS-001-MOA and use of the SB 2002 bond funds (Exhibit 9-e) is a continuation of the previous

item. She is proposing to get concurrence and utilize funds for purchase of materials for the project. The Public Works Director said they will install a 6 inch line and a fire hydrant, which will allow for six more homes. Motion was made by Alderman Cox, seconded by Alderman Papania and unanimously carried to authorize scope change request for DMR Grant agreement #OS-001-MOA and use of the SB 2002 bond funds.

PUBLIC WORKS:

The Public Works Director requested permission to go out for bids for fuel/diesel purchase service for one year. The City Clerk said the last year of fuel/diesel service has been successful, and she would have the savings once an entire year has passed. Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to authorize the City to go out for bids for fuel/diesel purchase service for one year (Exhibit 9-f).

BUILDING:

The Building Official said he viewed the Cypress tree at 119 Surgeres Place and there were flower beds surrounding the tree but he did not view any damage (Exhibit 9-g). He said he also went to the neighbor's yard where there is no grass growing in an area but again did not view any damage. Alderman Authement requested that this item be tabled until Alderman Authement, the Mayor and Building Official could go onsite to visit. Motion was made by Alderman Authement, seconded by Alderman Cox and unanimously carried to table the appeal of the Building Official's denial to remove a Cypress tree in the back yard at 119 Surgeres Place.

GENERAL PUBLIC COMMENT

Lee Brumfield questioned why other projects are getting completed in Ocean Springs but The Sands project has been at a standstill, only legal fees and interest have increased. He discussed the pending lawsuit regarding The Sands vs the City of Ocean Springs.

James Lewis addressed the lighting on the Biloxi Bay bridge. He said there are 30-32 lights out from Ocean Springs/Biloxi line to the rail cart. He thanked Public Works for work completed in Canebrake Subdivision. He said the new subdivision, Spanish Cove, has flooded six times with heavy rains and the drainage is not sufficient. He requested the Planning Department follow up. The Mayor responded that the bridge lights are maintained by MDOT but have a sunset clause for Ocean Springs and Biloxi to take over maintenance and they are working on a plan now.

ALDERMAN'S FORUM

The Mayor thanked the staff and Board for their efforts while he was out for three weeks with COVID-19. He said everyone did an excellent job.

Alderman Gill said that Public Works did a water dig job in front of a home on Nottingham and the dirt is now sinking and eroding. He requested Public Works bring more dirt to fill the hole and for erosion control.

Alderman Authement said that the protected trees in the City are Live Oak, Sycamore, Cypress and Magnolia. He questioned why Cypress would be on the list, with many cases coming before the Board because they become trip hazards. He requested for the Board to consider removing Cypress from the protected tree list. Alderman Gill said he would like to have Sycamore removed as well.

Alderman Authement asked the Parks & Recreation Director for an update on the restrooms at MLK Park. He responded that the Parks Assistant Director is currently working on it and he would give an update later in the week.

Alderman Cox said there are trees behind the Building Department at the pump station that are causing problems and need to be removed. He received a quote for \$1,600.00. Motion was made by Alderman Cox, seconded by Alderman Papania and unanimously carried to the remove trees in the pump station behind the Building Department with funds from the tree budget.

Alderman Blackman asked about the City Hall copy machine maintenance and said they need to be contacted because of toner issues.

Alderman Impey thanked the City Clerk and City Clerk staff for the Finance Committee meetings and budget work. He said with COVID-19 the tax revenue fell a little bit but with residents taking the call to buy local and support local businesses the tax revenue is back up. Aldermen Blackman said he agreed.

Alderman Authement said a decision needs to be made about upcoming Board meeting locations. The Planning & Grants Administrator said the September 1st meeting has been advertised for a public hearing at the Civic Center. The City Clerk said there will also be a public hearing on September 3rd for the budget that would need to be at Civic Center as well. James Lewis requested to err on the side of caution and keep meetings at the Civic Center due to COVID-19. Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to set the September 1, 2020 Regular meeting and the September 3, 2020 Special Call meeting at the Civic Center.

EXECUTIVE SESSION

None.

Motion was made by Alderman Gill, seconded by Alderman Authement and unanimously carried to adjourn the meeting until 6:00 p.m. on September 1, 2020.

Meeting ended at 7:29 p.m.

City Clerk

Date

Mayor

Date