

## **REGULAR MEETING OF OCTOBER 6, 2020**

Be it remembered that the Mayor and Board of Aldermen of the City of Ocean Springs met in a Regular Meeting at the City Hall in the City of Ocean Springs at 6:00 p.m. on October 6, 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 Assistant Director Candice Hooks, 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 Gill, seconded by Alderman Authement and unanimously carried to accept the agenda and the addendum.

### **ADDENDUM**

The Mayor requested the pending declaration of emergency and discussion of rescheduling of Cruisin' events take place first in the meeting, since the topics are time sensitive. The Mayor said he has discussed with the Special Event Coordinator changing the street closures and entertainment from Friday to Thursday because of the threat of Hurricane Delta. He said he would rather wait to declare a state of emergency. The Special Events Coordinator said the Sound Associates would need to know a decision tonight so that schedules can be solidified. He said the Molly Ringwalds would change to play on Thursday evening and Unfazed would remain as the Friday evening entertainment. Alderman Blackman requested to hold off on a decision until a more certain path for Hurricane Delta is determined on Wednesday morning.

Motion was made by Alderman Gill, seconded by Alderman Papania and unanimously carried to close streets Thursday, October 8<sup>th</sup> from 5:00 am to 10:00 pm and to reschedule the Molly Ringwalds to play Thursday from Friday. Alderman Blackman abstained.

Motion was made by Alderman Gill, seconded by Alderman Papania and unanimously carried to close streets Friday, October 9<sup>th</sup> from 5:00 am to 8:00 pm. Alderman Blackman abstained.

### **PUBLIC HEARING**

Item 3.a) Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to open the Public Hearing for the 306 Shearwater Drive PID

60130610.025 request for approval of Certificate of Appropriateness (COA) for construction of a new single-family dwelling with attached garage and golf cart garage (Exhibit 3-a).

The Planning & Grants Administrator said the Historic Preservation Commission recommended approval. No public comment was received.

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

Motion was made by Alderman Impey, seconded by Alderman Authement and unanimously carried to approve the request for a Certificate of Appropriateness (COA) for 306 Shearwater Drive.

## **PROCLAMATION**

The Mayor presented a proclamation to Melissa Galatis declaring October 2020 Domestic Violence Awareness month (Exhibit 4-a). She said COVID-19 has affected domestic violence greatly in our community. She thanked the Board and the Mayor for the recognition each year and the Police Department for working together.

## **PRESENTATIONS**

Ocean Springs Pedestrians and Residents for Exercise and Youth Safety (OSPREYS) requested the Board reduce the speed limit on residential streets from 30 mph to 25 mph. They requested immediate action on the following streets: Pine Avenue, Cleveland Avenue, Shearwater Drive, Holcomb Boulevard, Hanley Road, Halstead Road, General Pershing Avenue and Bechtel Boulevard. Alderman Blackman agreed and requested the City Attorney have a draft ordinance change prepared for the next meeting.

Elizabeth Fader-Hosey, Friends of the Mary C (FMCOK) Board President, thanked the Board for allowing the FMCOK to be entrusted with the Mary C building for the last 20 years. She said the FMCOK would like to restore the equipment in the Trent Lott Theater, in return they request the City give FMCOK a key to the City, a proclamation to the FMCOK outlining their contribution and legacy, to have building signage naming the FMCOK as a sponsor, and use of the Theater once or twice a year without rental fee. She said HOSA would like to tell the story of the FMCOK and community in the HOSA room. She said per the request of Donald Sharr all recording studio equipment and instruments remain in the building but they would like signage on the wall naming the FMCOK as a sponsor. Alderman Cox said after the review of records is completed the Board will address the FMCOK offer.

Carl Kennedy addressed the Board regarding the connection of water and sewer lines at his property and the Mississippi Attorney General's opinion on the matter. He said he believes there is corruption and collusion happening in Ocean Springs municipality, in particular

between Public Works and contractors, and he will go to the governor for an investigation. He requested surface lines be tapped on his two lots on Jackson Avenue.

## **AGENDA PUBLIC COMMENT**

Dr. Bill Moore spoke on item 5-a, he agreed with OSPREYS and reiterated that the speed on Holcomb Boulevard is much too fast. He said he appreciates the Boards agreement to move forward.

James Lewis spoke on item 5-a, he agreed with OSPREYS and said that there are other streets that need to be reviewed as well. He said as a pedestrian, Old Spanish Trail is much too fast.

## **OLD BUSINESS**

Alderman Authement said Mississippi Power has provided a proposal for the Front Beach lights (Exhibit A-1a). He recommended the monthly lease for 84 months at \$1,170.00 per month for LED 110 lights with shields to help minimize lighting extending past the roadway. He said maintenance includes wiring and poles but does not cover underground wiring. Motion was made by Alderman Authement, seconded by Alderman Blackman and unanimously carried to approve the Mississippi Power lighting proposal lease option.

Motion was made by Alderman Cox, seconded by Alderman Papania and unanimously carried to authorize a "Will Call" service agreement with Mallette Brothers Construction for Hurricane Delta (Exhibit A-1b) with City Attorneys additional wording: "This agreement is activated by written notice of the Mayor or his designee, Public Works Director Allan Ladnier".

Motion was made by Alderman Bellman, seconded by Alderman Gill and unanimously carried to extend the MOU between the Blossman Family YMCA and the City of Ocean Springs until October 20, 2020.

## **NEW BUSINESS**

Traci Barrientos from Lighthouse Academy said the school enrollment is at full capacity with 33 students enrolled. She said the PTA has funded a PE teacher, Ron Chambers, but when there is bad weather outside they have nowhere to have PE class. She requested the use of Taconi Gym from 12:00 pm until 2:00 pm Monday through Friday during school session, with in kind services provided by Lighthouse Academy (Exhibit 8-a). Motion was made by Alderman Authement, seconded by Alderman Cox and unanimously carried to adopt a Resolution Lighthouse Academy Lease Addendum 1.

The Planning & Grants Administrator said in 2009 there was a resolution approved to determine a portion of an unnamed alley off Church Street, north of Bienville Boulevard, abandoned (Exhibit 8-b) but the 2009 documentation could not be found and needs to be redone. Motion was made by Alderman Blackman and seconded by Alderman Impey to adopt Resolution to determine a portion of an unnamed alley off Church Street, north of Bienville Boulevard, abandoned (Exhibit 8-b).

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

The Mayor said the Memorandum of Understanding (MOU) between the Walter Anderson Museum of Art, Inc. and the City of Ocean Springs for Mary C. Consulting Services (Exhibit 8-c) is a formal agreement to assist the Arts & Culture Coordinator with programming and leads. Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to approve an MOU between the Walter Anderson Museum of Art, Inc. and the City of Ocean Springs for Mary C. Consulting Services.

## **CONSENT AGENDA**

Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to approve the Consent Agenda except item 9-o pulled by Alderman Bellman.

- a) Authorize to extend the resolution proclaiming the existence of a local emergency enacted March 16, 2020 for Local Emergency regarding the COVID-19 outbreak (Exhibit 9-a)
- b) Approve Run/Walk permit application for 12th Annual 5-K R.A.C.E – Rotary Club of Ocean Springs; Saturday, October 24, 2020 from 5:00 p.m. to 9:00 p.m.; Mary C Building with some road closures and a rolling road block; no cost to the City, applicant pays associated event cost (Exhibit 9-b)
- c) Approve Run/Walk permit application for St. Alphonsus Catholic School 5k; Friday, October 30, 2020 from 5:00 p.m. to 9:00 p.m.; start/end at St. Alphonsus with a rolling road block; no cost to the City, applicant pays associated event cost (Exhibit 9-c)
- d) 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 9-d)
- e) Ratify check to eSouth Technologies, LLC in the amount of \$4,000.00 for Camera installation equipment for Hwy 90 (Exhibit 9-e)

- f) Ratify check to Project NOLA in the amount of \$20,900.00 for 12 Camera hosting and 7 license plate recognition tech (Exhibit 9-f)
- g) Accept September 2020 Aged Receivable Report for utility billing (Exhibit 9-g)
- h) Approve Minutes: Recess Meeting September 14, 2020 (Exhibit 9-h)
- i) Accept Minutes: Human Resources Committee Meeting September 21, 2020 (Exhibit 9-i)
- j) Human Resources Action Items (Exhibit 9-j):
  - a. Authorize removal of Police Analyst Mandy Phillips from probationary status to full time status effective immediately
  - b. Authorize removal of Fire Lieutenant Keith Guice from probationary status to full time state effective immediately
  - c. Accept resignation of Firefighter Shane Fountain, effective October 19, 2020; authorize to begin the process of filling the vacant position
  - d. Authorize employment of lateral transfer Daniel Chad Jay, Firefighter, Step 4, \$13.51 hourly rate; effective on or about October 31, 2020; one year probationary status, pending successful completion of all pre-employment requirements
- k) Authorize award of bid for fuel supply delivery to Eagle Energy for a period of one year (Exhibit 9-k)
- l) Adopt Resolution to accept donated property for a portion of 1001 Ocean Springs Road PID 60128650.000 and 60128320.100 for right of way from Zayed Realty, LLC (Exhibit 9-l)
- m) Accept Easement donation located at 700 Bienville Blvd. from HSC Ocean Springs 90 LLC (Exhibit 9-m)
- n) Approve request for Residential Short Term Rental (STR) permit – 405 Cleveland Avenue PID#60225380.000 (Exhibit 9-n)
- o) Approve request for Residential Short Term Rental (STR) permit – 284 McCool Street PID#61305165.000 (Exhibit 9-o)
- p) Authorize the Mayor to execute contract with Brown, Mitchell, & Alexander, Inc., for related engineering services - Tidelands Project: FY20-P412-02: East Beach Accessibility (Exhibit 9-p)
- q) Accept Code Enforcement Report through September 30, 2020 (Exhibit 9-q)
- r) Approve Tree Protection Department recommendations – Tree Applications through September 29, 2020 (Exhibit 9-r)
- s) Authorize demolition of structure at 601 Pine Hills Road (Exhibit 9-s)
- t) Authorize demolition of structure at 1820 Stuart Avenue (Exhibit 9-t)
- u) Authorize demolition of structure at 808 Handy Avenue (Exhibit 9-u)
- A-3a) Authorize Mayor to execute temporary dedication of land for public use during Cruisin' the Coast 2020 for Swingster property with OHOS Land, LLC (Exhibit A-3a)
- A-3b) Adopt Resolution terminating existence of local emergency due to Hurricane Laura (Exhibit A-3b)
- A-3c) Adopt Resolution terminating existence of local emergency due to Hurricane Sally (Exhibit A-3c)

Alderman Bellman asked the Planning & Grants Administrator about public input for item 9-o; approve request for Residential Short Term Rental (STR) permit – 284 McCool Street PID#61305165.000 (Exhibit 9-o). She said there was input received from several neighbors objecting to the application at the public hearing for the Planning Commission. She said no further input had been received and the Planning Commission recommended approval. Motion was made by Alderman Impey and seconded by Alderman Cox to approve a Residential Short Term Rental permit for 284 McCool Street. The motion carried with Aldermen Gill, Authement, Cox, Papania, Blackman and Impey voting aye, and Alderman Bellman voting nay.

## **DEPARTMENT REPORTS**

### City Clerk:

Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to approve the docket of claims; the Board finds that all expenditures are appropriate and authorized by law (Exhibit 10-a).

Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to approve the monthly budget report (Exhibit 10-b).

Alderman Bellman stepped out of the meeting at 7:04 pm.

The City Clerk said that Alderman Impey noted corrections that were made to the Municipal Compliance Questionnaire (Exhibit 10-c). Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to adopt the corrected Municipal Compliance Questionnaire and spread upon the minutes.

Alderman Bellman returned to the meeting at 7:07 pm.

Motion was made by Alderman Cox, seconded by Alderman Papania and unanimously carried to adjust the water bill for Colonial Estates water line leak, due to a finding that the customers did not receive the benefit of the utility and the excess usages were due to unforeseen circumstances (Exhibit 10-d).

The City Clerk said the sewer portion of Wesley United Methodist Church bill has not been paid by the church or Elliott Homes because she cannot determine who is responsible (Exhibit 7-c). She said 6B Construction was the subcontractor at the location. Alderman Blackman requested to table the item to the next meeting so that the Mayor can reach out to Elliott Homes to attempt to resolve. The Mayor agreed to get in touch with Elliott Homes before the next meeting.

Sam Noblin with Butler Snow and Jamie Holloway with Government Consulting discussed refinancing the 2019 Rosenbauer Firetruck loan (Exhibit 10-f). They said the current loan is not structured correctly and refinancing would save 3%. Motion was made by Alderman

Cox, seconded by Alderman Blackman and unanimously carried to adopt a Resolution to refinance the 2019 Rosenbauer Firetruck loan.

Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to adopt a Resolution authorizing employment of professionals for the refinance of the 2019 Rosenbauer Firetruck (Exhibit 10-g).

#### Parks:

The Parks & Recreation Director requested a tennis committee be formed to determine the scope and compensation of the position. Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to form a tennis committee naming Aldermen Cox, Authement and Bellman, the Mayor, Parks & Recreation Director, Athletic Coordinator and the City Clerk as members.

### **GENERAL PUBLIC COMMENT**

James Lewis said the City recently approved two occupancy certificates for Spanish Cove, Elliott Homes. He said the retention pond there still does not have any safety protocols installed and drainage is still an issue. Alderman Blackman responded that Elliott Homes has made some changes and installed a bigger drainage pipe. He said there will be no more certificates of occupancy issued until it can be determined that the issues have been corrected.

The City Clerk said that water bills were sent out September 30<sup>th</sup> at 9:30 am but they have not been received by customers yet.

Public Works Mechanic Thomas Wallace said the pay scale currently being used, the step increase ends at step 10 and some employees are topped out. He asked what incentive a topped out employee has to stay at the City.

Dr. Bill Moore encouraged all to continue to wear masks and to social distance especially at the City's upcoming events.

### **ALDERMAN'S FORUM**

Alderman Gill thanked the Fire Department for the excellent and fast response to a home fire on Lancelot Lane over the weekend.

Alderman Authement requested moving forward when a lot split is requested, the applicant is required to pay for utilities. The Planning & Grants Administrator said she would research.

Alderman Blackman said other cities have begun allowing golf carts from other municipalities and would like to see a reciprocal policy added. The City Clerk asked if the ordinance will be

amended, would the Board consider changing to a yearly renewal similar to other coastal cities. Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to amend the golf cart ordinance to allow golf carts or other low speed vehicles properly registered in other municipalities for use on public roads may be operated in the City of Ocean Springs without further registration as long as it is in compliance with the ordinance.

Alderman Blackman said the current pay scale doesn't have a cost of living increase for topped out employees and requested the matter be addressed at a Finance Committee meeting. The City Clerk said there will be a Human Resources Committee meeting Monday at 2:30 pm and the pay scale would be discussed.

Alderman Blackman also thanked the Fire and Police Departments for the response at a house fire on Cabildo Place the same day as the fire on Lancelot Lane.

Alderman Impey asked the Planning & Grants Administrator about the drainage projects in Trentwood and Parktown subdivisions. She responded advertising would hopefully happen by the end of the year and would start in the beginning of 2021. He asked the Human Resources Director if the HR Committee meeting on Monday will discuss the day care option as a tool to compete with other municipalities. She responded that will be one of the topics. He then expressed condolences to Huffy Mayfield for the passing of his mother, Jocelyn Mayfield, saying she will be missed.

## EXECUTIVE SESSION

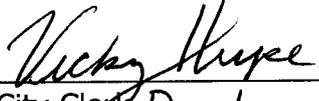
Motion was made by Alderman Cox, seconded by Alderman Papania and unanimously carried to go into closed session to determine the necessity of going into executive session.

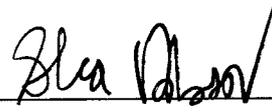
The City Clerk returned to the meeting and announced that a motion was made by Alderman Cox, seconded by Alderman Bellman and unanimously carried to remain in executive session to discuss potential litigation regarding 321 Jackson Avenue and potential litigation regarding the Friends of the Mary C.

Motion was made by Alderman Impey, seconded by Alderman Bellman and unanimously carried to come out of executive session where no action was taken.

Motion was made by Alderman Impey, seconded by Alderman Papania and unanimously carried to recess the meeting until 6:00 p.m. on October 20, 2020.

Meeting ended at 8:11 p.m.

  
City Clerk Deputy      10/22/2020  
Date

  
Mayor      10/22/2020  
Date