

RECESS MEETING OF AUGUST 17, 2021

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 August 17, 2021. The Mayor presiding, Aldermen Burgess, Authement, Wade, Cox, Papania, Blackman, and Impey were present. Also present were City Attorney Robert Wilkinson, 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, Human Resources & Risk Management Director Mindy McDowell, Parks & Recreation Director Stephen Glorioso, and Human Resources Assistant Kat Johnson.

The Mayor called the meeting to order.

Ginger McGruder gave the invocation and Alderman Authement led the Pledge of Allegiance.

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

PRESENTATION

Melvin Chipley gave an update on AGJ services (Exhibit 3-a). He said on August 3, 2021, there was a Coast-wide Unity Fiber outage for 2 days which left the city without internet. He said the outage was due to a truck damaging a 3-way junction point in Gautier that damaged both inground and above ground lines. He said AGJ currently has a 100% satisfaction response rate from the City and has completed 1,600 tech support tickets this year.

AGENDA PUBLIC COMMENT

Oren Zweig, item A-1a, spoke against the proposed animal ordinance and does not want the Downtown rooster taken away.

OLD BUSINESS

Item 5-a, health insurance renewal discussion with John Lockard has been moved to executive session.

The Mayor explained the OSPREYS community grant project has been revised to not include the pocket park due to safety issues and to add a street art mural on Cash Alley which will be closed from Desoto Street to Government Street to vehicles. He said Cash Alley will be pedestrian-only access for safety reasons. He said there has been discussion to add string

EXHIBIT # 7-k

lighting on Cash Alley and OSPREYS has agreed to use some of the grant funds for the street art on Cash Alley. He said the original street art project on Washington Avenue in front of WAMA remains unchanged. He requested to approval of the \$7,500 donation to the OSPREYS project. OSPREYS representative Liz Elmore said she must have been misunderstood at the meeting. She said the AARP grant funds would be utilized for the street art mural on Washington Avenue and the City and County funds would be used for Cash Alley. She said the pocket park was to help the senior community which was a big part of the application and the new project would need to help seniors as well. Alderman Blackman asked why the pocket park was removed from the project when a motion was made to support both projects. He added that during the first discussion on the project it was the street art murals that were questioned not the pocket park. Liz said that they were told there is a safety issue with the proposed location of the pocket park on the corner of Dewey Avenue and Joseph Street. The Mayor said at the end of the meeting the consensus of the group was to forego the pocket park and do more street art on Cash Alley. Liz responded that was predicated on the knowledge that they could not do the pocket park because of safety issues. Alderman Authement asked if the City would be required to have the pocket park remain in place for a specific amount of time because the Police Substation needs to be torn down. She responded there is no longevity requirement but requested at least a year. The Mayor said the Board has approved the pocket park location, so it can remain, but the Board has not voted to contribute \$7,500 to the pocket park. Alderman Blackman requested the project remain as previously presented and if there are safety concerns, bollards could be added. Liz agreed to move forward with both projects.

The Planning & Grants Administrator said the application for a short-term rental (STR) at 108 Shearwater Drive was tabled at the August 3rd meeting due to issues with the use of the shared driveway between the applicant and neighbors brought up by Alderman Authement (Exhibit 5-c). She said the applicant and neighbors have worked out an agreement and there are no other issues between them. A motion was made by Alderman Authement, seconded by Alderman Cox, and unanimously carried to approve an application for Residential Short-Term Rental (STR) permit at 108 Shearwater Drive PID# 60130590.060 and 60130590.050, with the Planning Commission's recommendations.

Alderman Impey said he requested an ordinance for a four-way stop at Yosemite Drive and Parktown Drive to slow traffic. A motion was made by Alderman Impey and seconded by Alderman Blackman to adopt an Ordinance: An amendment to the Code of Ordinances, Zoning, and Subdivisions; to revise Chapter 14 Article I Section 14-8 regarding stop streets (Exhibit 5-d). The motion carried with a roll call vote as follows:

Alderman Burgess	Aye
Alderman Authement	Aye
Alderman Wade	Aye
Alderman Cox	Aye
Alderman Papania	Aye
Alderman Blackman	Aye
Alderman Impey	Aye

Alderman Burgess said the animal ordinance in the agenda is not what she approved and worked on (Exhibit A-1a). She said she thought there would be two separate ordinances, one with vicious dogs and another with livestock. The Planning & Grants Administrator said there are two versions, one with fowl and one without, but both contain the previous ordinance that was removed in error. Alderman Burgess requested to table the animal ordinance.

Alderman Burgess said a speed study on Nottingham Road showed speeding throughout the day and reaching top speeds of 65mph at Cornwall Drive. A motion was made by Alderman Burgess and seconded by Alderman Authement to implement both resolutions to adopt an Ordinance: An amendment to the Code of Ordinances, Zoning, and Subdivisions; to revise Chapter 14 Article I Section 14-8 regarding stop streets for the amendment for stop streets at Nottingham Road and Cornwall Drive (Exhibit A-1b). The motion carried with a roll call vote as follows:

Alderman Burgess	Aye
Alderman Authement	Aye
Alderman Wade	Aye
Alderman Cox	Aye
Alderman Papania	Aye
Alderman Blackman	Aye
Alderman Impey	Aye

NEW BUSINESS

The Deputy City Clerk discussed the quote received from Jazzy Johns for \$6,780 for comfort stations and attendants at Cruisin' the Coast 2021 and the Peter Anderson Festival 2021 (Exhibit 6-a). A motion was made by Alderman Cox, seconded by Alderman Blackman, and unanimously carried to authorize an agreement with Jazzy Johnz for the quote for Cruisin' the Coast 2021 and the Peter Anderson Festival 2021.

The Mayor requested to continue to engage the services of Nicole Sullivan to complete legal issues that she had started. A motion was made by Alderman Cox, seconded by Alderman Blackman, and unanimously carried to adopt a Resolution to engage Sullivan Law Firm, PLLC for negotiations and drafting of an MOU between the city, Walter Anderson Theater Project, Mississippi Songwriters Association, and related parties regarding the use and management of the Mary C. O'Keefe Cultural Arts Center (Exhibit 6-b).

The Planning & Grants Administrator said Julien Lartigue is appealing the Planning Commission requirement of 10 feet of solid surface on a gravel driveway at 112 Pine Drive (Exhibit 6-c). She said the Planning Commission can't grant the exception, only the Board can. Julien said there previously was a gravel parking area along the road and he extended the gravel from the parking area to his house creating a driveway. He said he did so because he removed a concrete driveway on the other side of the lot due to drainage issues. Alderman Papania said he thinks this should be considered new construction and an

exception should not be granted. Alderman Cox said there is a large live oak near the road and gravel driveway that would be problematic if a 10' concrete apron was added. He said since this was previously a gravel parking area along the road the exception should be granted. A motion was made by Alderman Wade and seconded by Alderman Cox to grant the appeal and not require a 10' solid surface at 112 Pine Drive. The motion carries with Aldermen Burgess, Authement, Wade, Cox, and Blackman voting aye and Aldermen Papania and Impey voting nay.

The Planning & Grants Administrator said a rezoning ordinance was approved at the last meeting for the north side of Bienville Boulevard approximately 120 feet west of Hanshaw Road intersection, but the ordinance was not drafted. A motion was made by Alderman Impey and seconded by Alderman Blackman to adopt an Ordinance: an amendment to Ordinance No. 13-1976 rezoning property herein described from M1 to CH (Exhibit 6-d). The motion carried with a roll call vote as follows:

Alderman Burgess	Aye
Alderman Authement	Aye
Alderman Wade	Aye
Alderman Cox	Aye
Alderman Papania	Aye
Alderman Blackman	Aye
Alderman Impey	Aye

The City Clerk said the Board must accept the Ocean Springs School District FY 21-22 budget (Exhibit 6-e). She said the total this year is 66.7 mills, a reduction of 0.45 mills. A motion was made by Alderman Impey, seconded by Alderman Cox, and unanimously carried to accept Ocean Springs School District FY 21-22 budget.

The Mayor said the MOU between OHOS Land, LLC regarding the parking garage at 1515 Government Street has been discussed and reworked (Exhibit A-2a). Eric Nichols represents the developer of the property at 1515 Government Street that will be a multiuse property with residences, boutique hotel, meeting space, and restaurants. He said the City approached the development to build a parking garage for the downtown area and now has funding to build it. He said the MOU is for the developer to design and construct and the City will maintain the parking garage to form a private-public partnership with GCRF grant funding. Alderman Papania said he supports the project. Alderman Impey requested once the project is started to publicize the development. A motion was made by Alderman Authement, seconded by Alderman Papania, and unanimously carried to approve the MOU between OHOS Land, LLC and the City regarding the parking garage at 1515 Government Street.

The Mayor said the County gave notice that they can provide \$20,000.00 for the maintenance of the Mary C with a request from the City. Alderman Cox said MSA was instrumental in procuring the funds for the maintenance of the Mary C Theater. He requested the money be used for the theater only and saved in a separate fund. The Mayor said the legislation does not specify the theater, he requested the funds be accepted and

the distribution be determined later. A motion was made by Alderman Cox, seconded by Alderman Authement, and unanimously carried to adopt a resolution requesting \$20,000.00 from Jackson County's FY21 budget (Exhibit A-2b).

CONSENT AGENDA

A motion was made by Alderman Impey, seconded by Alderman Burgess, and unanimously carried to approve the Consent Agenda.

- a) Approve Run/Walk permit application for 8k Bridge Run – Gulf Coast Running Club; Saturday, September 11, 2021, from 8:00 a.m. to 10:00 a.m.; OS Beach & Bridge Pathway; no cost to the City, the applicant pays associated event cost (Exhibit 7-a)
- b) Adopt Resolution to match donated funds to the Walter Anderson Museum of Art (WAMA) (Exhibit 7-b)
- c) Accept OSPD monthly report for July 2021 (Exhibit 7-c)
- d) Accept OSFD monthly report for July 2021 (Exhibit 7-d)
- e) Human Resources action items (Exhibit 7-e):
 - a) Authorize a transfer of Dispatcher James Martin to Deputy Court Clerk I, Step 5, \$13.91 hourly rate; effective September 4, 2021; six-month probationary status, authorize to begin the process of filling the vacant position
 - b) Authorize removal of Code Enforcement Officer Yucimid Machado from probationary status to full-time status effective immediately
 - c) Authorize employment of Daryl Husband, Sewer Laborer, Step 2, \$12.75 hourly rate; effective August 18, 2021; one year probationary status, pending successful completion of all pre-employment requirements
 - d) Authorize transfer of Street Laborer Giuseppe Cigliola to Beautification Laborer, effective August 21, 2021; six-month probationary status, authorize to begin the process of filling the vacant position
 - e) Authorize a transfer of Sewer Laborer Cameron Hayes-Watson to Water Laborer, effective August 21, 2021; six-month probationary status, authorize to begin the process of filling the vacant position
- f) Approve Certificate of Appropriateness for the installation of solar panels, elevator lift, replacement of windows, doors, garage doors, and gutters – 407 Ruskin Avenue, Darlyn Kerner (Exhibit 7-f)
- g) Accept recommendation of the denial for the request of a side yard setback variance – 3620 Perryman Road, Cory Vincent, with Cory Dillon Design & Build, LLC, applicant for Rod Lubasky (Exhibit 7-g)
- h) Accept recommendation of the approval for the request of a side yard setback variance – 3236 Holcomb Blvd., Marques Thomas (Exhibit 7-h)
- i) Authorize the Mayor to execute Fort Bayou Drainage and Water Improvements contract with Graham Construction, Inc. (Exhibit 7-i)
- j) Authorize to award bid for the CIPP Lining Sewer/Stormwater Pipes project to Insituform Technologies, LLC and to execute contract documents (Exhibit 7-j)
- k) Accept Building Department Report for July 2021 (Exhibit 7-k)
- l) Accept Code Enforcement Report for July 2021 (Exhibit 7-l)

- m) Accept Tree Application recommendations – Tree Applications through August 10, 2021 (Exhibit 7-m)
- n) Approve Demolition of Structure located at 213 Audrey Circle (Exhibit 7-n)
- o) Approve Facility Use Agreement – OS Baseball Organization at the Sports Complex (Exhibit 7-o)
- p) Approve Facility Use Agreement – OS Girls Lacrosse at Gay Lemon Park (Exhibit 7-p)
- q) Approve Facility Use Agreement – South Mississippi Soccer Club at the Sports Complex (Exhibit 7-q)
- A-3a) Approve Minutes: Recess Meeting July 20, 2021 (Exhibit A-3a)
- A-3b) Ratify \$47,610.00 check to Weaver Electric for Stephen Parker Field lighting project (Exhibit A-3b)
- A-3c) Adopt Resolution to sell surplus property less than \$1,000.00 (Exhibit A-3c)

DEPARTMENT REPORTS

MAYOR:

A motion was made by Alderman Cox, seconded by Alderman Burgess, and unanimously carried to support the Friends of Jackson County Animal Shelter Pets annual "Paddle for Paws Poker Float" event on September 18, 2021 (Exhibit 8-a) for \$500 to promote the resources of the City with funds from the Mayor's Special Miscellaneous Promotions fund.

A motion was made by Alderman Cox, seconded by Alderman Burgess, and unanimously carried to support the YMCA for the 12th Annual John R. Blossman Humanitarian Award & Charity Banquet (Exhibit 8-b) for a \$1,000 Bronze Sponsorship to promote the the resources of the City with funds from the Mayor's Special Miscellaneous Promotions fund. Alderman Cox requested the Mayor and Board fill the 10 seats at the table at the event on November 11, 2021.

The Mayor said the City accepted a donation of 500 chairs from Northwood Church but the City has no place to store them and the Church could use them elsewhere (Exhibit 8-c). A motion was made by Alderman Blackman, seconded by Alderman Impey, and unanimously carried to rescind the acceptance of chairs from Northwood Church and donate them back to the church.

CITY CLERK:

A motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to approve the Docket of Claims except for the Hanna Berry Workshop which was tabled for the City Attorney to review; the Board finds that all other expenses are lawful and appropriate (Exhibit A-4a).

A motion was made by Alderman Impey, seconded by Alderman Cox, and unanimously carried to reappoint Alexander, Van Loon, Sloan, Levens, & Favre, PLLC (AVL) as the City Auditor for FY20-21 (Exhibit 8-e). The City Clerk added a separate single audit will be required this year due to over \$750,000 of federal money received for Hurricane Zeta.

A motion was made by Alderman Impey, seconded by Alderman Cox, and unanimously carried to approve a \$225.00 payment to Green Lizard Lawn Wizard for landscape services in Ward 6 to be paid from Ward 6 funds (Exhibit A-4b).

GENERAL PUBLIC COMMENT

Mesha Michelle requested more bicycle lanes with proper signage and volunteered to participate in future meetings to construct ideas for more bicycle lanes. She added the trees in Ocean Springs need to be cherished and protected.

ALDERMAN'S FORUM

Alderman Burgess requested the speed study on Chicopee Trace and Iroquois Avenue be moved further on Chicopee Trace. She requested an update on the Hastings Lane drainage project. The Planning & Grants Administrator replied the preconstruction meeting will be on August 20th to coordinate with Public Works for the catch basins.

Alderman Authement asked the Board to revisit selling the lots in Ocean Beach Estates to put on the tax rolls for the county and school. He said the title is not clear and will cost approximately \$1,500 to sell. Alderman Cox said if the fair market value is received it would be good. The City Attorney said the buyers would be given a quitclaim deed and there would not be a cost to the City.

A motion was made by Alderman Wade, seconded by Alderman Cox, and unanimously carried to request Jackson County's assistance with repaving Bills Avenue.

Alderman Cox requested the frequency of addendums to the agenda be reduced as they have become too large and too late on the meeting day. He said they should come out on Monday or at the very latest should be on Tuesday morning. He asked the Public Works Director, Alderman Authement, and the Mayor to meet with him at Ward Avenue to review the drainage issue near the Taconi building.

Alderman Papania requested the Building Official, Police Chief, and Fire Chief develop a solution to the hazard created by boats, RVs, and trailers parked permanently on public streets.

Alderman Blackman agreed the parking of boats, RVs and trailers has become an issue that needs to be addressed. He requested the City Attorney send a certified letter to residents affected by drainage easement between Bergerac Lane and Cabildo Place notifying them of a meeting at the Civic Center at least two weeks after the letter is sent. He said he had asked the City Attorney to draft an Ordinance dealing with boring contractors. He asked the Planning & Grants Administrator to send the City Attorney any other ordinances that may

deal with contractor damage. He requested the contractors be required to white line before 811 is called, time restrictions for Public Works, and require building permits added to the new Ordinance. The City Attorney said he has reviewed the City of Gulfport's Ordinance that covers every aspect of the situation and would use it as an outline if that is what the Board wants. Alderman Papania requested to add parking equipment on the residential street and requiring a staging area.

Alderman Impey sent condolences to the family of Mr. Robert Endt. A motion was made by Alderman Impey, seconded by Alderman Blackman, and unanimously carried to authorize the employment of Emily Chapman, Patrolman, Step 1, \$18.00 hourly rate; effective August 18, 2021; one-year probationary status, pending successful completion of all pre-employment requirements.

The Mayor congratulated the Parks & Recreation Department for the Highway 57 Sports Complex being named Park of the Year by the 2021 Baseball Players Association.

EXECUTIVE SESSION

A motion was made by Alderman Cox, seconded by Alderman Impey, and unanimously carried to go into a closed session to determine the necessity of going into an executive session.

The City Clerk returned to the meeting and announced that a motion was made by Alderman Impey, seconded by Alderman Blackman, and unanimously carried to remain in executive session to discuss the health insurance renewal and personnel issues regarding insurance.

A motion was made by Alderman Impey, seconded by Alderman Blackman, and unanimously carried to come out of an executive session where no action was taken.

A motion was made by Alderman Impey, seconded by Alderman Blackman, and unanimously carried to adjourn the meeting until 6:00 p.m. on September 7, 2021.

Meeting ended at 8:10 p.m.

Patty Boston 9/21/2021
City Clerk Date

[Signature] 9/21/2021
Mayor Date

