

## **RECESS MEETING OF AUGUST 15, 2017**

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 15, 2017. Mayor Dobson presiding, Aldermen Cox, Gill, Authement, Bellman, Papania, Blackman and Impey were present. Also present was City Clerk Shelly Ferguson 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.

### **PROCLAMATIONS**

The Mayor read a proclamation recognizing the Asgard Motorcycle Club for their outstanding record of service to the City of Ocean Springs as well as all communities along the Mississippi Gulf Coast, therefore, proclaiming August 25, 2017, as **Asgard Motorcycle Club Day** in the City of Ocean Springs.

Sheila Yost, representative of the Gulf Coast Multiple Sclerosis Society, talked about all of the good things the Asgard Motorcycle Club does for the MS Multiple Sclerosis Society behind the scenes. Ms. Yost stated the Asgard's have been the primary benefactor for 32 years. Ms. Yost presented a plaque in appreciation to the Asgard Motorcycle Club for their 32 years of dedication and generous contributions to the MS Multiple Sclerosis Society. (Exhibit 3-a)

The Mayor read a proclamation recognizing the 150<sup>th</sup> Anniversary of the St. James United Methodist Church proclaiming August 27, 2017, as **St. James United Methodist Church Day** in the City of Ocean Springs. (Exhibit 3-b)

### **ADDENDUM**

Motion was made by Alderman Gill, seconded by Alderman Blackman and unanimously carried to add the Addendum to the Agenda.

### **NEW BUSINESS**

Motion was made by Alderman Cox, seconded by Alderman Impey and unanimously carried to appoint Jerry Munro as representative for the City of Ocean Springs to JCUA. (Exhibit 4-a)

Ms. Tina Sullivan, 1115 Porter Avenue, and her neighbor, Ms. Rose Skelton, presented pictures and videos of the drainage issues on Porter and Kotzum Avenues. Ms. Sullivan feels these problems are being created by new construction projects and parking lots around town. Ms. Sullivan also stated the First Baptist Church of Ocean Springs parking lot is sloped causing the water to drain directly onto her property. Ms. Sullivan said her house has flooded and her yard floods a lot. She has built a retaining wall at her own expense but so much water drains toward her home that the retaining wall gets breached with the water. Ms. Skelton mentioned the issue of asphalt being laid over asphalt when repairing the streets. The storm drains are being blocked by the asphalt so the water has nowhere to go. Ms. Skelton also stated that the catch basin at the new construction site was covered up to stop dirt from going into the drain diverting the water onto her property.

The Interim Public Works Director said he will have to look at the catch basin being covered. The catch basin should have silt fencing around it and not covered. It is a main drain for that area. The Interim Public Works Director said they have checked the culvert under Porter Avenue for any blockage but it is wide open.

Alderman Blackman said the roads need milling and not to add more asphalt over asphalt.

Ms. Sullivan is not in a flood zone so getting a MEMA grant is not an option. She has been told her problem is not a flood problem it is a drainage problem therefore she needs to apply for a Hazard Mitigation grant through the City.

The Mayor said the City is doing everything it can to improve the drainage issue in that area but the weather is causing some delays and other issues for the City as well. (Exhibit 4-b)

## **OLD BUSINESS AND ADDENDUM**

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to adopt an Amendment to the Code of Ordinances for the City of Ocean Springs, Mississippi, Amending Chapter 2, Article V Regarding the Economic Development Council. Motion passes. (Exhibit A-1a)

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>

Jon McDougal, representative from AGJ Systems & Networks, updated the Board on all progress made by AGJ. Mr. McDougal provided a list of projects that have been completed to date, projects that are currently in progress, and future projects to be completed by AGJ. Mr. McDougal explained what some of the future projects are. AGJ is currently working with the City on a hardware bid for network equipment that will replace the equipment currently being leased through Windstream. AGJ will work with the City to issue an RFP for a new service provider that will replace the phone and internet services currently being provided through Windstream. Mr. McDougal also said that in the year 2020 Microsoft will no longer support Windows 7 so the City's computers should be upgraded or replaced appropriately. 98% of the City's PS's have Windows 7.

Alderman Papania asked what the general terms are to replace a PC. Mr. McDougal said it would cost approximately \$700 to \$800 per PC which should be replaced every four (4) years and \$1000 per laptop which should be replaced every three (3) years. Mr. McDougal's recommendation for replacing the equipment would be done on a quarterly basis. (Exhibit 5-a)

Alderman Impey explained what the change was to the ordinance previously voted on regarding the Economic Development Council was to add a member from the Chamber of Commerce to the council. (Exhibit A-1a)

Motion was made by Alderman Gill, seconded by Alderman Impey and unanimously carried to adopt an Amendment to the Code of Ordinances for the City of Ocean Springs, Mississippi Amending Chapter 7, Article II, Division 3 Regarding the Board of Adjustments and Appeals. Motion passes.

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>

Alderman Blackman explained the change to this ordinance is to add (2) two additional members to the Board of Adjustments and Appeals to add one (1) member from the banking and finance field and one (1) from the design professional field. Alderman Blackman said by adding these members to the board every trade in the construction industry can be represented. (Exhibit 5-b)

## **CONSENT AGENDA and ADDENDUM**

Motion was made by Alderman Gill, seconded by Alderman Cox and unanimously carried to approve the Consent Agenda and Addendum with the exception of items (7-o) pulled by Alderman Authement and item (7-u) pulled by Alderman Blackman.

## **PUBLIC COMMENT**

Melanie Allen, 1924 Kensington Avenue, commented on the state flag issue. Ms. Allen said the Mississippi state flag has been flying legally throughout the state of Mississippi. Ms. Allen agrees with Mayor Dobson that a new vote should take place. Ms. Allen asked the Board to consider adding to the front, west side of City Hall to fly all flags that have flown legally over our city since 1699 spotlighting the past, present, and future of the City of Ocean Springs.

Alderman Papania stated he thinks this is an excellent suggestion. He supports this suggestion and would like the Board to discuss flying all flags at City Hall.

Kelly Johnson, Ward 2, wanted to state that the American Flag is present at all events and the Confederate State Flag is seen at rallies.

Doug Denehie, 503 Forrest Hill Drive, came before the Board to discuss the Planning Commission and the decision concerning the property located at 1505 Porter Ave. (Exhibit 7-o). Mr. Denehie stated he believes someone needs to be appointed to this commission to oversee the volunteers and make sure they do not have a significant conflict of interest on this Commission which creates hard feelings throughout the city. He also stated has concerns about the litigation that arise from these decisions that cost the tax payers a lot of money.

Mike Maltby, 603 General Pershing, talked about the growing trend in the downtown area to divide property into smaller lots. Mr. Maltby stated the current lot splits do not comply with the current codes for an R2 residential. He asked the Board if the variances are granted on a case by case basis or have new codes been established. Mr. Maltby said by splitting these lots and building homes that are narrow, too close together or two-story will change the character of the downtown area and is asking the Board to keep this in mind when voting on lot splits.

Ed Shampo, Ward 2, read a statement from the Japanese-American Citizens League in response to the Mayor's comments made at the August 1<sup>st</sup> Regular Meeting of the Ocean Springs Mayor and Board of Aldermen that he invoked about Japanese-Americans and the American flag in the Mayor's defense for flying the state flag.

The Mayor apologized to Mr. Shampo and the Japanese-American Citizens League for his comment. The Mayor stated he never meant to insinuate that anyone was less than patriotic. The Mayor never meant to question anyone's patriotism. The Mayor also thanked Mr. Shampo for his service to our country.

Patricia McCloud, came before the Board to address the flag issue as well. Ms. McCloud stated that since the Mayor decided to fly the state flag she is concerned Ocean Springs will be put in the national spotlight and not in a good way. She is asking the Mayor to stand up and do the right thing by taking down the flag.

The Mayor asked the Board of Aldermen to give a show of hands if they are in favor to continue to fly the State Flag in front of City Hall. All Board members raised their hands.

## **CONSENT AGENDA AND ADDENDUM**

Alderman Authement had previously pulled Item (7-o) and asked to table this item. The Planning and Grants Administrator stated the owner of the property has (30) thirty days to appeal and has requested that time to decide if he wants to appeal the decision.

Alderman Blackman pulled Item (7-u) to discuss the Tree Protection Committee's decision to deny the removal of a Magnolia tree at 3606 Perryman Road. Alderman Blackman said the owner would like to remove the Magnolia tree in order to straighten his driveway.

Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to allow the removal of the Magnolia tree located at 3606 Perryman Road with the agreement that the homeowner is to plant at least (1) one new tree in the front yard. (Exhibit 7-u)

Alderman Gill suggested to have landscaping plans as part of the plans when presented to the City. Alderman Gill would like to make it a requirement to mark where the trees currently are and where the homeowners plan on replanting trees on the construction plans. He feels this would eliminate a lot of these issues with the removal of trees.

The Planning and Grants Administrator said they can provide a copy of the landscape ordinance which includes some best practices guidelines and good information to homeowners. The Building Official stated the landscape ordinance will be given to the homeowner during the application process.

Motion was made by Alderman Gill to have the homeowners provide tree landscaping plans when they are submitting their plans for their home construction plans. Alderman Impey said there is no way to hold the homeowner to this and it is an additional cost to the homeowner. Motion did not get a second. Motion failed.

Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to accept item (7-u) to the agenda.

## **DEPARTMENT REPORTS**

### **Community Development & Planning**

A press release was sent out today regarding the *Meet Me at the Park* Play Spaces grant received for fully accessible play equipment for children and adults to be placed at Little Children's Park. The Memorandum of Understanding between National Recreation and Park Association and the City of Ocean Springs, Mississippi was on the consent agenda tonight for execution.

## **ALDERMEN'S FORUM**

Alderman Gill talked about the Ambassador Program through Mississippi Development Authority. Alderman Gill is requesting permission from the Board to get more information about the program and to bring it back to the Board.

Alderman Gill presented a checklist of items, from Chic Cody, that need to be completed prior to Cruisin' the Coast to the Interim Public Works Director and the Building Official.

Alderman Authement thanked the Police Department for completing the traffic study on Bowen Avenue. Alderman Authement is requesting the City Attorney to draft an ordinance to place stop signs on Bowen Avenue.

Motion was made by Alderman Authement, seconded by Alderman Cox and unanimously carried to waive the permit fee for the Ocean Springs Chamber to add railing to their handicap ramp.

Alderman Authement asked the Interim Public Works Director if he has looked at Catchot Street so the City can give Supervisor Troy Ross some suggestions on how to correct the drainage issue. The Interim Public Works Director stated they have not shot any grades there at this time. The Interim Public Works Director stated he has been out there and looked at it several times and does not think we would find anything different than what we have already seen. He will have the street department go over there and shoot some grades on the street, around the edge of her house, and driveway but it is going to show that the water is running southeast.

Alderman Bellman wants the Board to consider purchasing 3 acres of land on Davidson Road. Alderman Bellman stated this would be a great opportunity to add a children's park, walking track, and dog park in Ward 3 and Ward 4. He feels the City should contact the owner if the Board is interested in exploring the idea.

Alderman Papania likes the idea of adding to the Alice Street facility. Alderman Papania would like for the Mayor and/or Alderman Bellman contact the owner to gather more information and specifics on the property. He stated he would like input from the Parks Director and Parks Advisory Board.

Alderman Blackman stated the previous Board turned down a free parcel behind Dollar General on Government Street. Alderman Blackman asked that the City look into this property again as a second option before purchasing property.

Alderman Gill mentioned the land owned by the Mississippi Land Trust behind The Inlet located on Highway 90. He said this property was also an option for a dog park.

The Parks Director stated she has worked very hard on a priority list that need to be taken care of before the City spends anymore of the 2% money.

Alderman Cox wanted to remind the Board about the Salvation Army Night of Hope Gala at the IP Casino on Thursday, August 17<sup>th</sup> at 6:00 p.m. and stated if any of the Board members are interested in going to let him know so he can get tickets to attend.

Alderman Papania talked about paving in his ward. Alderman Papania said a lot of areas need about 50' of paving and asked if this is included in the paving request. The Interim Public Works Director stated the county doesn't like to do projects that are less than 200'. The Interim Public Works Director said they normally hire a paving contractor to come in and do the paving of small projects.

Alderman Cox said that Robinson Street to the railroad track on Church Street is really bad and requested the Interim Public Works Director get in touch with Supervisor Troy Ross in order to get this taken care of before Cruisin' the Coast.

Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried that when the fire department starts maintenance on the hydrants around town that they correct the color of the hydrants. The hydrants are not in compliance with NFPA. The fire chief would like to paint them yellow like they should be. Alderman Blackman will volunteer his time to help paint the hydrants.

Alderman Blackman asked about drainage on Beverly Place. Alderman Blackman asked the Interim Public Works Director to have a crew go out and cut all of the drainage areas in this neighborhood when the ground dries and able to get some equipment back there without tearing up the property.

Alderman Impey reminded everyone that August 23<sup>rd</sup> is Ocean Springs' night at the Shuckers game.

Alderman Impey sent an email to the City Attorney about drafting an ordinance change making Government Street a double line, no passing zone on Government Street throughout the City of Ocean Springs from Washington Avenue east to the end of city limits.

Alderman Impey thanked Karen Nelson for the article she did on the property that was cleared at Highway 57 and Highway 90.

Alderman Cox asked the Police Chief about the email Officer Garrard sent regarding some suggestions for the downtown area. Alderman Cox asked the Police Chief if the City was going to act on any of the suggestions. Alderman Cox asked the Police Chief to bring those issues back to the Board so they can be addressed.

Alderman Gill mentioned the flyer he had requested about maintaining the curb gutter dip in the driveways in his ward. The Building Official stated the flyer stating the owner needs to maintain the curb gutter or tear out if not properly maintained is ready to be distributed to the homeowners if a complaint is received by an Alderman.

## **EXECUTIVE SESSION**

Motion was made by Alderman Cox, seconded by Alderman Authement 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 personnel in public works, potential litigation regarding planning commission issue, and personnel in parks department.

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

Motion was made by Alderman Impey, seconded by Alderman Gill and unanimously carried to adjourn the meeting.

Meeting ended at 8:55 p.m.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



**AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
RECESS MEETING  
August 15, 2017 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PROCLAMATION**

- a) Asgard Motorcycle Club Day – August 25, 2017 (Exhibit 3-a)
- b) St. James Methodist Church Day – August 27, 2017 (Exhibit 3-b)

**4. NEW BUSINESS**

- a) Discuss appointing Jerry Munro as representative for the City of Ocean Springs to JCUA (Exhibit 4-a)
- b) Discuss drainage problems and new construction dumping water on her property located at 1115 Porter Avenue – Tina Sullivan (Exhibit 4-b)

**5. OLD BUSINESS**

- a) Update on progress made by AGJ – Jon McDougal and Denise Land
- b) Adopt an Amendment to the Code of Ordinances for the City of Ocean Springs, Mississippi Amending Chapter 7, Article II, Division 3 Regarding the Board of Adjustments and Appeals (Exhibit 5-b)

**6. PUBLIC COMMENT:** The public is invited to address the Board for up to 3 minutes. The Board will take all comments under advisement for potential action at a later date if warranted.

**7. CONSENT AGENDA\***

*\* Consent Agenda – All matters listed under Item 7, 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) Authorize out-of-state travel to Washington DC for the Mayor to meet with White House Officials and Federal Agencies on September 24-27, 2017 at a cost not to exceed \$3000.00 (Exhibit 7-a)

**City Clerk:**

- b) Approve Minutes: Recess Meeting July 18, 2017 (Exhibit 7-b)
- c) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 7-c)
- d) Approve Run/Walk Permit Application for a Bonne Vivantes 5K on Saturday, September 23, 2017, from 6:00 p.m.-9:00 p.m. at Fort Maurepas; Front Beach/OS Bridge route; \$300.00 to be paid for traffic control/security the day of the event (Exhibit 7-d)
- e) Approve Run/Walk Permit Application for the MS Gulf Coast Ballet Theatre Bridge Run on Sunday, August 20, 2017, from 2:00 p.m.-5:00 p.m., OS Bridge/ Front Beach route (Bridge Only Event); no costs incurred by any department (Exhibit 7-e)

**Police Department:**

- f) Authorize to remove Patrolman Windy Wheat from probationary status to full time status effective August 9, 2017 (Exhibit 7-f)
- g) Authorize employment of Patrick Pierce, Patrolman; \$13.25 hourly rate; and Cashley English, Corrections Officer; \$12.50 hourly rate; effective on or about August 28, 2017; one-year probation; pending successful completion of all pre-employment requirements (Exhibit 7-g)
- h) Accept resignation of Corrections Officer Tyler Reid effective immediately; authorize to begin the process to fill the vacant position (Exhibit 7-h)

**Fire Department:**

- i) Accept Monthly Fire Department Report (Exhibit 7-i)

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

- j) Authorize to award the bid for City Street, Sidewalk, and Concrete Structure Maintenance Contract be awarded to Delta Construction, Inc. as recommended by Compton Engineering, Inc. (Exhibit 7-j)
- k) Authorize to remove Kyle Rawahneh from probationary status to full time status effective August 17, 2017 (Exhibit 7-k)
- l) Accept the termination of Daniel Cockerham effective August 9, 2017; authorize to begin the process to fill the vacant position (Exhibit 7-l)

**Community Development & Planning:**

- m) Authorize the Mayor to Execute the Memorandum of Understanding between National Recreation and Park Association and City of Ocean Springs, Mississippi, for fully accessible play equipment for children and adults to be placed at Little Children's Park through the *Meet Me at the Park* Play Spaces grant program supported by Walt Disney Company; joint project with Disability Connections (Exhibit 7-m)

Planning Commission

- n) Approve the application for Revised Final Plat for Madison Place Subdivision – Phase I by Elliott Homes, LLC (owner of record – Madison Place Development, LLC) – (Exhibit 7-n)
- o) Accept the Planning Commission's recommendation to deny the application for Lot Split located at 1505 Porter Avenue, PID #60130300.000 – Tyler Smith (Exhibit 7-o)

Zoning and Adjustment Board

- p) Accept the Zoning and Adjustment Board's recommendation to approve the application for variance at 4010 Bienville Blvd., PID #610126190.025, to allow a building to encroach 20% into the required side yard setback – Rose Lapin, applicant (Exhibit 7-p)
- q) Accept the Zoning and Adjustment Board's recommendation to approve the application for two variances 5001 Bienville Blvd., PID #61104035.030, to allow the area of a wall-mounted sign and a free-standing sign to be increased by 20%; All Signs, Inc. – Tractor Supply Co., applicant (Exhibit 7-q)

Historic Preservation Commission:

- r) Accept the Historic Preservation Commission's recommendation to approve the application for a Certificate of Appropriateness at 1020 Legion Lane, PID #'s 60119180.000 & 60119182.000 – Kevin Ramage, applicant (Exhibit 7-r)
- s) Accept the Historic Preservation Commission's recommendation to approve the application for a Certificate of Appropriateness for 527 Front Beach, No. 9, Parcel ID #60137372.109, Michael and Wanda Pentes, applicants (Exhibit 7-s)
- t) Accept the Historic Preservation Commission's recommendation to approve the application for a Certificate of Appropriateness for 527 Front Beach, No. 10, Parcel ID #60137372.110, J. T. and George McCullough, applicants (Exhibit 7-t)

**Building Department:**

- u) Accept Tree Protection Committee meeting minutes of August 8, 2017 (Exhibit 7-u)
- v) Accept Code Enforcement Report through August 10, 2017 (Exhibit 7-v)

- w) Approve Residential Building Permit Application for the demolition of structure at 300 Ward Avenue, Shane & Mona Loper (Exhibit 7-w)

**Parks & Leisure Services Department:**

- x) Accept Parks Advisory Board meeting minutes of February 8<sup>th</sup> and July 12<sup>th</sup>, 2017 (Exhibit 7-x)
- y) Authorize to waive the fees for the use of Fort Maurepas on October 12, 2017, for the Ocean Springs Health and Rehabilitation Center to host the 2<sup>nd</sup> Annual Flavors of Fall Event for the senior citizens of Ocean Springs and Jackson County (Exhibit 7-y)

**City Attorney:**

**Facilities:**

**H.R. Committee:**

**Finance Committee:**

**8. DEPARTMENT REPORTS**

**Mayor:**

**City Clerk:**

**Police Department:**

**Fire Department:**

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

**Building Department:**

**Parks & Leisure Services Department:**

**City Attorney:**

**Facilities:**

**H.R. Committee:**

**Finance Committee:**

**9. ALDERMEN'S FORUM**

- a) Discussion on purchasing three acres of property located at 2449 Davidson Road for a park to include a dog park – Alderman Bellman

**10. EXECUTIVE SESSION**

**ADJOURN UNTIL 6:00 p.m. on September 5, 2017**

**ADDENDUM TO AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
RECESS MEETING  
August 15, 2017 - 6:00 p.m.**

**1. OLD BUSINESS**

- a) Adopt an Amendment to the Code of Ordinances for the City of Ocean Springs, Mississippi Amending Chapter 2, Article V Regarding the Economic Development Council (Exhibit A-1a)

**2. CONSENT**

**City Clerk:**

- a) Approve Minutes: Regular Meeting August 1, 2017 (Exhibit A-2a)
- b) Approve Minutes: Special Call Meeting August 14, 2017 (Exhibit A-2b)
- c) Authorize to pay Shoemake's Construction \$1,150.00 for Mary C. O'Keefe storage building shelves to be paid out of the alderman-at-large ward funds (Exhibit A-2c)
- d) Approve to add \$170.00 to the docket of claims to MS Municipal League for registration fees for Aldermen Bellman and Papania to attend the 2017 Small Town Conference in Oxford, MS on October 25-26, 2017