

## **REGULAR MEETING OF NOVEMBER 7, 2017**

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 November 7, 2017. The Mayor 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.

Rev. Mike Barnett gave the invocation and the Mayor led the Pledge of Allegiance.

### **PROCLAMATION**

The Mayor read a proclamation in recognition of Dr. William F. Pontius and his many contributions. The Mayor presented the proclamation to Ms. Mollie Pontius. (Exhibit 3-c)

The Mayor read a proclamation declaring Thursday, November 18, 2017 as the **Great American Smokeout Day** in the City of Ocean Springs. Ms. Cyndi Moncreiff was presented with the proclamation. (Exhibit 3-a)

The Mayor read a proclamation declaring Tuesday, November 7, 2017 as **Darrell Keith Bailey Day** in the City of Ocean Springs. Mr. Keith Bailey was presented with the proclamation. (Exhibit 3-b)

### **PRESENTATION**

Ms. Lori Massey, Coordinator of Mississippi Coast Crime Stoppers, came before the Mayor and Board of Aldermen to discuss the City participating in Mississippi Coast Crime Stoppers by adding a \$2.00 fee to each misdemeanor moving violation.

Ms. Ann Waller, Tax Services, Inc., explained how the tipster receives their reward for their anonymous tip. Ms. Waller also explained how the \$2.00 fee assessed to all misdemeanor moving violations is reported and disbursed to the State of MS and Mississippi Coast Crime Stoppers. (Exhibit 4-a)

Brent Baggett, Core & Main, came before the Mayor and Board of Aldermen to present information on Sensus Water Meters.

Rob McClendon, Territory Manager for Sensus, gave an overview of the Sensus water meter system.

## **NEW BUSINESS**

Ms. Heather Eason, Buy-A-Barricade, came before the Board to ask the City to sign an agreement with Buy-A-Barricade, LLC. Ms. Eason stated Buy-A-Barricade, LLC has donated 133 barricades to the City and will continue to donate barricades to the City for security and crowd control. In exchange for those services she is requesting a commitment from the City to use the donated Buy-A-Barricades first, prior to utilizing other City barricades, and agrees to use a rotation system of placement in order to ensure each barricade has an equal opportunity for prominent placement and further requests the City agrees to use reasonable care in placing and storing the donated barricades in order to avoid damage to signage. Buy-A-Barricade holds the rights to remove, replace, and repair damaged signs. The agreements also includes the City provide a letter of participation, a list of local businesses and available contact information, the City's logo for Buy-A-Barricade's use in creating and installing signage, and the City's event schedule.

Alderman Gill stated the Board would like to review the agreement and bring it back before the Board at the next meeting of the Ocean Springs Mayor and Board of Aldermen. (Exhibit 5-a)

## **OLD BUSINESS**

The Planning and Grants Administrator updated the Board on the meeting with the applicant, neighbors, and Alderman Rickey Authement regarding the application for lot split located at 1016 Lafontaine Avenue, PID #60137486.000. The Planning and Grants Administrator stated the applicant is seeking approval of application for the original configuration of the lot split.

Alderman Impey stated due to the area with the cutout he does not feel it is up to code.

Motion made by Alderman Authement, seconded by Alderman Blackman to approve the application for the original configuration of a lot split at 1016 Lafontaine Avenue, PID #60137486.000 as recommended by the Planning Commission. Aldermen Bellman, Blackman, Papania, and Authement voting Aye and Aldermen Gill, Cox, and Impey voting Nay. Motion passes. (Exhibit 6-a)

The Mayor stated he is in support of approving the application for the License to Encroach for a private basketball goal permanently installed within the right-of-way on the corner of Bergerac Lane and Cambrai Lane.

Alderman Impey is concerned if this application is approved it will set a precedence for other residences to place permanent fixtures within the city right-of-ways covering pipes and sewer lines.

Alderman Cox said he supports approval of the application because portable basketball goals get knocked over during storms which creates a safety issue.

Alderman Papania does not support approving the application. Alderman Papania is also concerned about setting a precedence and violates the City's code if it is allowed.

Alderman Authement cannot support approving this application.

Alderman Blackman asked why applying for a license to encroach was even given as an option if it was not going to be considered on a case-by-case decision.

Motion made by Alderman Cox, seconded by Alderman Blackman to approve the application for license to encroach for a private basketball goal permanently installed within the city right-of-way on the corner of Bergerac Lane and Cambrai Lane. Aldermen Cox, Blackman, and Gill voting Aye. Aldermen Authement, Papania, Impey, and Bellman voting Nay. Motion failed. (Exhibit 6-b)

## **PUBLIC COMMENTS**

The Mayor addressed his comment he made on Facebook over the weekend. The Mayor asked that everyone be respectful when making their comments. He did remind everyone that there is a (3) minute limit that will be enforced.

Mr. James Lewis, 805 Canebreak Drive, spoke about his disapproval of flying the state flag.

Mr. Greg Gipson, 6516 Shoshonee Drive, spoke about his disapproval of flying the state flag. Mr. Gipson said he understands the Board of Aldermen have the right to make decisions but he also feels the citizens of Ocean Springs should have had a voice. He asked the Board to take down the flag.

Walter Harrison, 114 Reynolds Circle, stated he was at the meeting when the Mayor called for a show of hands from the Board of Aldermen who supported flying the state flag over City Hall. Mr. Harrison commented that the vote from the Board was unanimous but the citizens are not unanimous in their vote. He said it is a total disrespect to fly the state flag and also stated this issue is not going away and neither are we. He reminded the Board that we are one state, one city, one people, one flag, one vote, under God with liberty and justice for all, not just the majority.

Ms. Roxanne Sammies, 3217 Cumberland Road, spoke about her disapproval of flying the state flag. Ms. Sammies stated there is no diversity on the Board. She commented that this Mayor and Board of Aldermen were elected to take care of the citizens of Ocean Springs and not the whole state.

Ms. Noelle Nolan-Ryder, 25 Sweetgrass Lane, spoke against flying the state flag.

Mr. Jim Smith, 3624 Perryman Road, disagrees with flying the state flag.

Ms. Lea Campbell, 5 Chandeleur Cove, opposes flying the state flag.

Mr. James Crowell, president of the Biloxi branch of NAACP, opposes flying the state flag and asked the Board to support the children and stand up for what is right.

Dr. Bill Moore, 257 Holcomb Boulevard, spoke about the divisive issue of flying the state flag. Dr. Moore said he liked the idea Mrs. Julia Weaver had to fly the bicentennial flag to show unity. Dr. Moore also thanked the Police Department for assisting him in a situation he had over the weekend.

Mr. T. Nathan Fairley, member of NAACP, opposes flying the state flag. Mr. Fairley stated the City needs to move forward, be progressive, and the City should be leading the way.

Dianne Chapman, 317 Washington Avenue, opposes flying the state flag and wonders what kind of town we want to portray.

## **CONSENT AGENDA and ADDENDUM**

Motion made by Alderman Gill, seconded by Alderman Bellman and unanimously carried to add the Addendum to the Agenda

Motion made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to approve the Consent Agenda and Addendum with the exceptions of item (A1-e) pulled by Alderman Impey and item (8-c) and (8-w) pulled by Alderman Papania.

Alderman Impey pulled Item (A1-e) on the Addendum at the request of the Fire Chief to request that upon his retirement Training Chief David Wicker be allowed to purchase his helmet for \$1.00.

Motion made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to approve Item (A1-e) adding to allow Training Chief David Wicker to purchase his helmet for \$1.00.

Alderman Papania pulled Item (8-c) to ask about the purchase of bronze flag plaques on the docket of claims. The Planning & Grants Administrator stated it is part of a grant to replace the flag plaques at Fort Maurepas.

Motion made by Alderman Blackman, seconded by Alderman Papania and unanimously carried to approve Item (8-c).

Alderman Papania pulled Item (8-w) for clarification on the additional cost for the Colonial Estates water project. The Interim Public Works Director explained that the original estimate for this project is (4) four years old so the prices have changed.

Motion made by Alderman Papania, seconded by Alderman Cox and unanimously carried to approve Item (8-w).

Alderman Impey mentioned the resignation of Denise Jones and J. D. Reeves from the Civil Service Commission and thanked them publically for their service.

## **DEPARTMENT REPORT**

### **Community Development & Planning:**

The Planning & Grants Administrator undated the Board on the Government Street Improvements Project. She said all the issues are being addressed and the issue with the pedestrian bridge has been handled and they are looking at a completion date sometime in February 2018. She also said substantial steps have been taken to get this project back on track. (Exhibit 9-a)

Alderman Impey asked for an update on the Unified Development Code. The City Planner stated everything is going well. There has been (5) five meetings with the stakeholders group. They are taking ideas and putting them in the UDC.

The Building Official updated the Board on continuing property violations at 1014 Robinson Street, 3304 Parliament Drive, and 210 Mitchell Street.

The property at 1014 Robinson Street is coming up on the one year mark which will make it eligible for removing the structure. The Building Official is expecting an answer from the property owner in November or December about how the owner wants to proceed with the property.

The Building Official stated the property at 3304 Parliament Drive has had some lot clearing done by the City, the property has been secured, and placed a cover on the pool. This property has gone back to the bank and the VA is to pick it up and provide new contact information. The city will continue to work on this property.

The property at 210 Mitchell Street had a condemned placard placed on it. It was removed from the list because the owner came before the Board stating he had an interested buyer. The contracts fell through so the Building Official is asking to put the condemned placard back up. He said we need to take action because this property is a blight to the community. (Exhibit 9-b)

Alderman Bellman asked about an update on 176 Linda Circle. He said the house has been boarded up for years. The Building Official said it is being used for a storage and the yard is being kept up. Alderman Bellman asked to make some progress on this property also.

Alderman Impey asked for a current status on the house on Yellowstone. He said the owner is deceased and the father has taken over the property. Alderman Impey said it looks like a wooded lot and the neighbors complain about vermin. The Building Official said he wasn't prepared so he is not able to give an update on this property at this time.

## **ALDERMAN'S FORUM**

Alderman Gill asked the Interim Public Works Director about the drainage issue at Culeoka and Monticello that floods backyards and a shed. He said the water has nowhere to go. Alderman Gill asked the Interim Public Works Director if he can get this project started. The Interim Public Works Director told him he has looked at it and talked to Donnie McClain about it. He said at that time it was too wet but he will get with Mr. McClain to see if he thinks it is dry enough to get the equipment back there to cut the tree.

Alderman Authement talked about the Peter Anderson Festival and what a huge success it was. He also reminded everyone about the Public Art Project (PAPOS) event at the Chamber parking lot tomorrow.

Alderman Cox thanked all the volunteers for their help with the Peter Anderson Festival.

Alderman Cox asked about the Morris Noble drainage project in the area where the rocks run down. He said we need to address the natural swale. The last time we had a heavy rain it flooded a shed.

Alderman Papania also talked about the Peter Anderson Festival and how successful it was. He said he heard merchants comment on what a great job public works was doing with the trash pickup.

Alderman Blackman thanked the Planning & Grants Administrator, the Interim Public Works Director, and Joey Duggan of Compton Engineering, for finding the warranty information on the Dewey Avenue roof.

Alderman Impey talked to one of the vendors at the Peter Anderson Festival and was told this is their favorite festival because of the teamwork of all the departments and volunteers associated with the event.

Alderman Impey said he was sorry he was not at the last Board Meeting but that he had accompanied Hank Zuber to Jackson who was to receiving an award for one of the most influential people.

The Mayor also said Peter Anderson was a huge success. He also talked about the great work Public Works is doing with picking up debris and continuing right into Peter Anderson. The Mayor also thanked the Building Official for the work he does with the events as well.

The Mayor talked about the Five Mayor & Five Restaurant Event he is participating in on November 16, 2017.

Alderman Cox said that Scott Lemon is to receive the Humanitarian Award Thursday at 6:00 p.m.

## **EXECUTIVE SESSION**

Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to go into closed session to determine the necessity of staying in executive session.

The City Clerk returned to the meeting and announced a motion was made by Alderman Impey, seconded by Alderman Authement and unanimously carried to remain in executive session to discuss personnel in the Facilities Department; personnel in the Police Department; personnel in Public Works; personnel in the Planning Department; land acquisition; and litigation on the Walker Property.

Motion made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to approve the City Attorney's recommendation regarding litigation on the Walker Property.

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

Alderman Impey mentioned an issue Geri had with a camera going out at the Highway 57 Sportsplex and a cost difference between AGJ and another company for a camera and installation. Alderman Impey asked the Mayor to look into the camera price issue.

Motion made by Alderman Bellman, seconded by Alderman Authement and unanimously carried to go into closed session to determine the necessity of remaining in executive session.

Motion made by Alderman Impey, seconded by Alderman Bellman and unanimously carried to remain in Executive Session to discuss personnel in the Police Department.

Motion made by Alderman Cox, seconded by Alderman Gill and unanimously carried to authorize the promotions of Lt. Shane Tiner to Captain, Sgt. Matthew Morvant to Lieutenant, and Patrolman Josh Fox to Sergeant pending the retirement of Administrative Captain Mike Ducote. The official promotions, pay increases (to be determined), and six month probation will go into effect on the actual date of Captain Ducote's retirement.

Motion made by Alderman Blackman, seconded by Alderman Authement and unanimously carried to come out of Executive Session and return to Regular Meeting.

Motion was made by Alderman Papania, seconded by Alderman Impey and unanimously carried to recess until 6:00 p.m. on November 21, 2017.

Meeting ended at 10:10 p.m.

---

City Clerk

---

Mayor

---

Date

---

Date

**AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**REGULAR MEETING**  
**November 7, 2017 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PROCLAMATION**

- a) Mississippi Coastal Cleanup Day – November 18, 2017 – Cyndi Moncreiff (Exhibit 3-a)
- b) Darrell Keith Bailey Day – November 7, 2017 – Keith Bailey (Exhibit 3-b)
- c) In recognition of Dr. William F. Pontius – Mollie Pontius (Exhibit 3-c)

**4. PRESENTATION**

- a) Mississippi Coast Crime Stoppers – Lori Massey
- b) Sensus meters for water – Brent Baggett, Core & Main (Exhibit 4-b)

**5. NEW BUSINESS**

- a) Discussion on agreement with Buy A Barricade, LLC – Heather Eason (Exhibit 5-a)

**6. OLD BUSINESS**

- a) Discussion regarding the approval of application for the original configuration of a lot split at 1016 Lafontaine Avenue, PID #60137486.000, as recommended by the Planning Commission – Applicant JHS Enterprises (Exhibit 6-a)
- b) Discussion regarding the approval of application for license to encroach for a private basketball goal permanently installed within the right-of-way on the corner of Bergerac Lane and Cambrai Lane (Exhibit 6-b)

**7. 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.

**8. CONSENT AGENDA\***

*\*Consent Agenda – All matters listed under Item 8, 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:**

**City Clerk:**

- a) Approve Minutes: Special Call Meeting October 16, 2017 (Exhibit 8-a)
- b) Approve Minutes: Recess Meeting October 17, 2017 (Exhibit 8-b)
- c) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 8-c)
- d) Authorize to continue State of Emergency due to Hurricane Nate for up to an additional (30) thirty days (Exhibit 8-d)
- e) Approve the Run/Walk Permit Application for the University of Southern Mississippi American Fisheries Society Student Subunit's Jim Franks Merry Fishmas Fun Run on Saturday, December 9, 2017, from 9:00 a.m. – 12:00 p.m. using the OS Bridge / Front Beach Pathway at no cost to any City department (Exhibit 8-e)
- f) Ratify check to G&K Services in the amount of \$59.02 for uniform allowance for Public Works Water Department employees (Exhibit 8-f)
- g) Ratify check to Brandy Neal in the amount of \$500.00 for musical entertainment at the Mayor's Youth Council Lot Event on October 20, 2017 (Exhibit 8-g)
- h) Ratify check to Brian Davis in the amount of \$587.49 to reimburse for a cell phone and case lost in police department custody (Exhibit 8-h)
- i) Ratify check to Christine Sepulveda in the amount of \$193.92 for restitution (Exhibit 8-i)

- j) Ratify check to Swank Motion Pictures, Inc. in the amount of \$385.00 for Hocus Pocus showing rights on October 28, 2017 for the Mayor's Youth Council event at the Mary C. O'Keefe Arts and Cultural Building (Exhibit 8-j)
- k) Authorize request to waive the deposit from the Mississippi Department of Education, Office of Child Nutrition, to be held on May 30—31, 2018 at the Ocean Springs Civic Center (Exhibit 8-k)
- l) Approve Special Event Permit Application for the Krewe Unique Mardi Gras Parade on Saturday, January 27, 2018; using the pre-approved parade route with line-up beginning at 10:00 a.m. on Front Beach; this parade follows the OS Elks Mardi Gras parade, pending proof of liability insurance naming the City as an additional insured (Exhibit 8-l)
- m) Authorize to adopt a Resolution Authorizing and Directing the Issuance of a General Obligation Note to Provide Funds to Pay the Costs of Purchasing Computer Hardware and the Sale and Issuance of the Note; Prescribing the Form and Incidents of said Note and Making Provision for the Security and Payment thereof; Awarding the Sale of the Note; and Making Provision for Maintaining the Tax-Exempt Status of the Note; authorize to award the \$180,000.00 bank loan for computer hardware to Regions Bank at an interest rate of 1.99% (Exhibit 8-m)
- n) Final budget report for FY16-17 (Exhibit 8-n)
- o) Approve the order Amending FY 2016-2017 Budget Appropriations showing 10% variations over or under the original budgeted amounts (Exhibit 8-o)

**Police Department:**

- p) Accept letter of resignation from Patrolman Dylan Wooley effective November 3, 2017; authorize to begin the process of filling the vacant position (Exhibit 8-p)
- q) Accept letter of resignation from Patrolman Gordon Van Garrard effective November 3, 2017; authorize to begin the process of filling the vacant position (Exhibit 8-q)
- r) Authorize to hire certified Patrolman Emily Anne Dawson effective November 8, 2017; \$14.50 hourly; one year probationary period; pending successful completion of all pre-employment requirements (Exhibit 8-r)
- s) Authorize to hire Kimberly Johnson, Dispatcher, and Danielle Hayes, Dispatcher, effective November 8, 2017; \$12.00 hourly; one year probationary period; pending successful completion of all pre-employment requirements (Exhibit 8-s)

**Fire Department:**

**Human Resources/Risk Management:**

- t) Accept resignation from Denise Jones, Civil Service Commissioner, effective October 16, 2017; authorize to begin the process of filling the vacant position on the Civil Service Board (Exhibit 8-t)
- u) Authorize the Mayor to sign the Title VI Non-Discrimination Agreement between the Mississippi Department of Transportation and the City of Ocean Springs pending review from City Attorney (Exhibit 8-u)

**City Engineer:**

**Public Works:**

- v) Authorize to award the Robinson Street Parking Improvements bid to BEB Enterprises, Inc. in the amount of \$8,489.56 as recommended by Compton Engineering, Inc. (Exhibit 8-v)
- w) Approve to increase the City's funding commitment for the Colonial Estates water line project by \$4000.00 to make the total commitment from the City \$14,000.00 (Exhibit 8-w)

**Community Development & Planning:**

- x) Authorize out-of-state travel for Amanda Moser, Planning & Grants Assistant, to attend a Beginner Grant Writing Course in Elberta, AL on November 30 – December 1, 2017 (Exhibit 8-x)
- y) Authorize out-of-state travel for Carolyn Martin, Planning & Grants Administrator, to be a presenter at the 2017 Coastal Resilience Team Conference in Pensacola, FL on November 13-14, 2017 at no cost to the City (Exhibit 8-y)
- z) Authorize to execute a Memorandum of Agreement with MS Department of Marine Resources for Maintenance of 323 Front Beach pending concurrence from DMR (Exhibit 8-z)
- aa) Authorize the Mayor to execute the contract with Lane Construction Company in the amount of \$872,271.30 for MDOT Funding for the Porter Avenue Infrastructure Project – STP-0967-00(001) LPA/105963-701000 – as per MDOT concurrence (Exhibit 8-aa)

**Building Department:**

- bb) Accept Tree Protection Committee Meeting Minutes from October 24, 2017 (Exhibit 8-bb)
- cc) Accept Code Enforcement Report through November 3, 2017 (Exhibit 8-cc)

- dd) Approve the Residential Building Permit Application for a demolition of entire structure located at 414 Magnolia Avenue – Shane Jackson (Exhibit 8-dd)

**Parks & Leisure Services:**

- ee) Approve the Individual Service Contract with Sandra Gaines, Dance Instructor at the Moving Arts Center II, for a period of (12) twelve months (Exhibit 8-ee)
- ff) Accept Parks Advisory Board Minutes from August 9, 2017 (Exhibit 8-ff)
- gg) Approve name change of the parks department from City of Ocean Springs Parks & Leisure Services to City of Ocean Springs Parks and Recreation as requested by the Parks Advisory Board (Exhibit 8-gg)

**City Attorney:**

**Facilities:**

**H.R. Committee:**

**Finance Committee:**

**9. DEPARTMENT REPORTS**

**Mayor:**

**City Clerk:**

**Police Department:**

**Fire Department:**

**Human Resources/Risk Manager:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

- a) Discussion Related to the Government Street Improvement Project Contract

**Building Department:**

- b) Discuss ongoing property violations with properties located at 1014 Robinson Street, 3304 Parliament Drive, and 210 Mitchell Street (Exhibit 9-b)

**Parks & Leisure Services:**

**City Attorney:**

**Facilities:**

**H.R. Committee:**

**Finance Committee:**

**10. ALDERMEN'S FORUM**

**11. EXECUTIVE SESSION**

- a) Litigation on Walker property located at 435 East Beach Drive
- b) Land acquisition
- c) Personnel in the Facilities Department

**RECESS UNTIL 6:00 P.M. on November 21, 2017**

**ADDENDUM TO AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**REGULAR MEETING**  
**November 7, 2017 - 6:00 p.m.**

**1. CONSENT**

**City Clerk:**

- a) Adopt Resolution of the City of Ocean Springs, Mississippi to Donate Surplus Personal Property of No Market Value to Treasure Oaks Country Club (Exhibit A-1a)
- b) Approve the Memorandum of Agreement between Jackson County, Mississippi and the City of Ocean Springs, Mississippi for Removal of Debris Caused by Hurricane Nate (Exhibit A-1b)
- c) Authorize to approve the Central Bidding Electronic Bid and Reverse Auction Services Agreement with Central Auction House; no cost to the City (Exhibit A-1c)

**Police Department:**

- d) Authorize to hire Patrolman Ian Sutherland effective November 13, 2017; \$13.25 hourly; one year probationary period; pending successful completion of all pre-employment requirements (Exhibit A-1d)

**Fire Department:**

- e) Accept resignation of Training Chief David Wicker effective November 15, 2017 after 15 years of dedicated service; authorize to begin the process of filling the vacant position (Exhibit A-1e)

**Parks & Leisure Services:**

- f) Approve the Individual Service Contract with Jim Jones, Tennis Pro Instructor, to manage the Halstead Tennis Court for a period of (3) three months (Exhibit A-1f)
- g) Authorize payment of Pay Application No. 3 (Final) to BEB Enterprises, Inc. in the amount of \$39,332.00 for Ocean Springs Sportsplex Softball Field Shade Structures (Exhibit A-1g)