

## **RECESS MEETING OF DECEMBER 19, 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 December 19, 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.

Alderman Papania gave the invocation and the Mayor led the Pledge of Allegiance.

### **ADDENDUM**

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

### **PUBLIC HEARING**

Motion made by Alderman Impey, seconded by Alderman Authement and unanimously carried to go in Public Hearing regarding the lot cleaning of the property located at 4013 Yosemite Drive owned by Bridgett Broussard.

The Building Official explained that this property has caused constant issues with the City over the last (3) three years. The current owner of record has let the property back to the lending institution, therefore she no longer owns the property. The Building Official said the City demolished the home (3) three years ago because it was a blight on the community. The Building Official stated the City has had the responsibility of maintaining the property for the last (3) three years. The Building Official is requesting permission from the Board to obtain quotes for the initial cut and sequential cuts for a period of (1) one year for this property.

**The Mayor asked if there are any proponents for the lot clearing.**

No one came forward.

**The Mayor asked if there are any opponents against the lot clearing.**

No one came forward.

Motion made by Alderman Impey, seconded by Alderman Gill and unanimously carried to come out of Public Hearing.

Motion made by Alderman Impey, seconded by Alderman Cox and unanimously carried to accept the recommendation of the Building Official to obtain quotes for the initial and sequential cutting of the grass at the property located at 4013 Yosemite Drive for the safety and welfare of the public. (Exhibit 3-a).

## **OLD BUSINESS**

Alderman Authement asked the Police Chief to update the Board on the status of the "on foot police officer for the downtown area". The Police Chief said he hopes to have a full time officer back on the streets of downtown Ocean Springs in February. He said the position has been posted in-house to all employees and they have until January 12<sup>th</sup>, 2018 to apply in writing. The Police Chief also said that all training should be completed by that time. In the meantime, the Police Chief said it is important to remember the police officers continue to patrol the downtown area and some improvements have been made with all the steps they have taken to help the homeless population. (Exhibit 4-a)

## **NEW BUSINESS**

The Building Official spoke on behalf of Wayne Borries because he is out of town. The Building Official gave the current Board a brief history of the ordinance that was suspended a year ago by the previous Board requiring sprinkling of residential. The Building Official said there was a difference of opinion on the interpretation of the ordinance. The City Attorney gave a clarification of the ordinance and that is how the ordinance has been followed since that time. During that time Mr. Borries was issued a permit and about a month later was when the previous Board suspended the ordinance. The Building Official requests allowing Mr. Borries continue to build his home without sprinkling and then revisit the ordinance to have it reinstated.

Motion made by Alderman Cox, seconded by Alderman Authement and unanimously carried to allow Mr. Borries to build his home without sprinkling. (Exhibit 5-a)

Ms. Krisann Dikes, Industry Liaison for Singing River Health System and Manages the Healthy Partner Program, and Lee Bond, Chief Operating Officer, presented information regarding the Healthy Partners Screening Program through Singing River Health System. Mr. Bond explained that through this program screenings are offered every month at a discounted rate or for free. Mr. Bond said that providing these screenings at no charge or a discounted rate gives the employee an affordable alternative for medical services. Mr. Bond also said this program was designed to improve health and save lives which could potentially be a cost savings for the employer. There is no cost to the municipality

for this program. Mr. Bond said insurance covers most of the services offered through this program but if the employee does not have insurance or insurance does not cover the screening then the employee is offered a discounted cash price. (Exhibit 5-b)

Mr. Scott Lemon, Lemon Mohler Insurance, came before the Board to talk about the physical damage insurance on the city's vehicles. Mr. Lemon met with the insurance committee and went through the process and set goals. Mr. Lemon said for the last couple of years the City has qualified for a special program through a company called EMC which writes the physical damage for cars for municipalities that are insured with the Municipal Association. The Municipal Association handles the liability portion of it while EMC handles the physical damage portion of it. Mr. Lemon said the insurance committee has asked him to be prepared with some narrowed down options at the January 2, 2018 Board Meeting. He wanted to come today to inform the Board of where he is in getting the information requested and to let the Board know that the renewal period is in mid-January. (Exhibit 5-c)

Motion made by Alderman Authement, 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 11 to Prohibit Tobacco Products in Marshall Park. Motion passes. (Exhibit 5-d)

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>

Motion made by Alderman Authement, seconded by Alderman Gill to adopt a Resolution of the City of Ocean Springs, Mississippi to Request Local and Private Legislation to Permit Golf Carts and Low-Speed Vehicles on Certain Streets.

The City Attorney clarified how this will work in order to get the ordinance passed to allow these golf carts and low-speed vehicles on certain streets. The resolution, if adopted, and proposed ordinance will be sent to the State Legislature requesting to pass local and private legislation permitting the City to formally adopt the ordinance pursuant to proper vote by the Board of Aldermen. The proposed ordinance is what the legislators will use to craft the local and private legislation so even though the ordinance is not officially passed the City will be bound by the draft ordinance.

Alderman Papania invited one of his constituents to speak about some concerns he has with this proposed ordinance.

Mr. Benton Howie, 105 Ashley Place, commented that the speed limit needs to be increased from 30 mph to 35 mph in order to allow these vehicles on feeder roads where the speed limit is 35 mph. Mr. Howie also said if we are going to allow golf carts and low-speed vehicles to access the city from Gulf Hills the speed limit will need to be 35 mph in order to allow that. Mr. Howie questioned what is the City controlling and why is the City taxing? Why is the City building a bureaucracy around putting tags and collection fees to be able to use an electric vehicle in our town? Mr. Howie is requesting the Board to reconsider the taxing and stickering of these type of vehicles when we don't require this for any other vehicles to access the public streets of Ocean Springs and to look at changing the speed limit to allow access to all of the citizens of Ocean Springs.

Alderman Blackman also expressed his concerns about the speed limit and agrees it needs to be changed to 35 mph.

Alderman Authement said he spoke to the DMV and the golf carts will not have a license plate. Alderman Authement said there are (2) two different types of golf carts, some with VIN numbers and some with manufacture numbers. The stickering will only be required for the golf carts and low-speed vehicles that have all of the accessories of a street legal low-speed vehicle but does not require a license tag. Alderman Authement said the fee is not a tax but a fee only to accept the rules of the road that allow the golf carts and low-speed vehicles on the public streets in Ocean Springs.

Alderman Gill withdraws his second on the motion to adopt a Resolution of the City of Ocean Springs, Mississippi to Request Local and Private Legislation to Permit Golf Carts and Low-Speed Vehicles on Certain Streets.

Motion made by Alderman Authement, second by Alderman Bellman to amend his motion to adopt a Resolution of the City of Ocean Springs, Mississippi to Request Local and Private Legislation to Permit Golf Carts and Low-Speed Vehicles on Certain Streets to include the request to change the speed limit from 30 mph to 35 mph. Aldermen Gill, Authement, Bellman, Cox, Papania, and Blackman voting Aye and Alderman Impey voting Nay. Motion passes. (Exhibit 5-e)

## **PUBLIC COMMENTS**

Ms. Jane Beaugez came before the Board to speak about (3) three issues. The first issue is regarding the absence of the light shining on the flag and the war memorial at Freedom Field. The second issue is the maintenance and upkeep of Evergreen Cemetery. The third issue is the flying of the state flag. Ms. Beaugez does not see an issue with flying the flag.

Five citizens spoke against flying the state flag.

Motion made by Alderman Cox, seconded by Alderman Papania and unanimously carried to stop the Public Comment portion of the Board meeting tonight.

## **CONSENT AGENDA AND ADDENDUM**

Motion made by Alderman Authement, seconded by Alderman Impey and unanimously carried to approve the Consent Agenda and Addendum with the exception of Items (A-1d) pulled by Alderman Bellman and (7-j) which was pulled by Alderman Blackman.

Alderman Bellman pulled Item (A-1d) from the addendum for clarification on probation for an employee transferring from one department to another within the City. Alderman Bellman wanted to clarify that this person is having to complete an additional six month probation because they are changing positions and not because he obtained his equipment operators license.

Motion made by Alderman Bellman, seconded by Alderman Authement and unanimously carried to accept Item (A-1d) on the addendum.

Alderman Blackman pulled Item (7-j) regarding the bid on the mini-excavator. Alderman Blackman is requesting to table item (7-j) to allow the new administration to review the bids and confirm this is the correct piece of equipment needed by the City.

Motion made by Alderman Blackman, seconded by Alderman Gill and unanimously carried to table Item (7-j) until the new administration can review the bids.

## **DEPARTMENT REPORTS**

### **Building Department:**

The Building Official updated the Board on Front Beach Street Lighting. The Building Official said (5) five solar lights were secured and installed. He said it does look better than expected. The City Electrician has been able to repair (2) two more of the lights but will need to have additional wires pulled on (3) three more of the lights to get them operational. The Building Official asked the Board how they would like to proceed with the panels, patch, and get operational or replace one panel at a time.

The Community Development and Grants Administrator stated she is working on a mitigation project and asked the Board to be mindful of how much repair work you do now as far as if it is reimbursable or how it might affect it. She is requesting a plan so she can try to get funding for this project.

Alderman Blackman said if we can find other solar lights that are more aesthetically pleasing, with the right lumens, that meet MDOT specifications, and the right price then

he would suggest we place more solar lights along Front Beach and save the City a lot of money in the long run. (Exhibit 8-a)

The Building Official wanted to discuss the roadway height clearance requirements. The Building Official stated the previous board adopted a height requirement of 13'6". The Building Official stated one of the issues when doing roadway clearances is oak tree limbs come out at an angle. The Building Official suggests looking at putting up some signage and trimming of limbs. His first area of concern is going to be Porter Avenue (the parade route) because the Mardi Gras parades that start at the end of January and again at the beginning of February. The Building Official is requesting each alderman to notify him of any problem areas in their wards that need to be addressed. (Exhibit 8-b)

**Facilities:**

The Mayor discussed options of making the Facilities Department more efficient. The Mayor said one option is to make it a maintenance department under Public Works. This department would have less responsibilities regarding set up for the rental. The Mayor mentioned the possibility of hiring another person for maintenance. The facilities department office would still remain at the Civic Center but they would report to the Public Works Director.

The Facilities Coordinator asked about the option of hiring a custodian and mentioned some issues and concerns regarding the light systems, air conditioning, and alarm systems that were brought up by the facilities staff.

Alderman Blackman said there seems to be some miscommunication because it has never been the Boards intention to not have staff available during the events only to stop the staff from having to set up, break down, and cleaning of the facility.

Alderman Gill feels staff needs to be hands on at the facilities so the renter does not damage the building, tables and chairs, or any of the equipment they use.

The Community Development and Grants Administrator said the Community Center has an Operating Plan that was a part of the restoration work approved by Archives and History which included having someone on site at all times when rented.

The Mayor said he is not prepared to take action tonight but wanted to put it on the agenda for discussion. The Mayor asked the Board to think about it and we will come back to it in the near future.

**ALDERMEN'S FORUM**

Alderman Cox updated the board about a match grant that the Mary C. O'Keefe was approved for. The Mary C. was approved for \$100,000.00 to do repairs and maintenance

on the building that will help with programs. Alderman Cox said the match for the grant is \$25,000.00.

Motion made by Alderman Cox, seconded by Alderman Gill and unanimously carried to approve \$25,000.00 pending finance committee approval of the project. The City Clerk said she feels our ending balance is good enough to use funds from ending balance. Alderman Cox said the finance committee needs to sit down with the Mary C. to go over stipulations of the grant. The Community Development and Grants Administrator said the grant is to support programming so the City needs to be involved in the scope of work.

Alderman Impey recognized Ms. Howell and told her he appreciates everything they do at the Mary C. Ms. Howell in return thanked the Board for all of their support.

Alderman Impey thanked all of the City employees for the work they do and wished all of them a Merry Christmas.

## **EXECUTIVE SESSION**

Motion made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to go into closed session to determine the necessity of remaining in Executive Session.

The City Clerk returned to the Board Room and announced motion made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to remain in Executive Session to discuss an update on the JCUA litigation.

Motion made by Alderman Cox, seconded by Alderman Bellman and unanimously carried to come out of Executive Session and return to regular meeting.

Motion made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to adjourn the meeting until 6:00 p.m. on January 2, 2018.

The meeting ended at 8:20 p.m.

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Shelly Ferguson, City Clerk

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Shea Dobson, Mayor

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Date

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Date

**AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**RECESS MEETING**  
**December 19, 2017 - 6:00 p.m.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC HEARING**
  - a) Lot Cleaning Hearing – 4013 Yosemite Drive – Bridgett Broussard (Exhibit 3-a)
- 4. OLD BUSINESS**
  - a) Discussion regarding the on foot police officer for downtown – Alderman Authement
- 5. NEW BUSINESS**
  - a) Discussion regarding sprinkler system for new home construction at 704 Rue Rivage – Wayne Borries (Exhibit 5-a)
  - b) Singing River Health System Healthy Partners – Krisann Dikes & Lee Bond (Exhibit 5-b)
  - c) Update on Auto Insurance Renewal Process – Scott Lemon
  - d) Adopt an Amendment to the Code of Ordinances for the City of Ocean Springs, Mississippi Amending Chapter 11 to Prohibit Tobacco Products in Marshall Park (Exhibit 5-d)
  - e) Adopt a Resolution of the City of Ocean Springs, Mississippi to Request Local and Private Legislation to Permit Golf Carts and Low-Speed Vehicles on Certain Streets (Exhibit 5-e)
- 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:**

**City Clerk:**

- a) Approve Minutes: Recess Meeting November 21, 2017 (Exhibit 7-a)
- b) Approve Minutes: Special Call Meeting November 30, 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 the United MSD Foundation 5K Saturday, February 24, 2018 from 8:00 a.m. to 10:00 a.m. using the Front Beach/OS Bridge route at no cost to the City (Exhibit 7-d)
- e) Adopt Resolution of the City of Ocean Springs, Mississippi to Terminate Contract with Groundspeak, Inc. d/b/a Geocaching (Exhibit 7-e)
- f) Adopt an Amended and Restated 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 (Exhibit 7-f)
- g) Adopt Resolution Authorizing a Lease Purchase Agreement for the Purpose of Procuring a Class A Pumper Fire Truck; Designating the Lease Purchase Agreement as a Qualified Tax Exempt Obligation; and Authorizing and Prescribing Other Matters Related Thereto (Exhibit 7-g)

**Police Dept.:**

**Fire Dept.:**

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

- i) Authorize to remove Firefighter William Hatten from probationary status to full time status effective immediately (Exhibit 7-i)

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

- j) Authorize to award the bid for a Mini Excavator with attachments to Lee Tractor Co. in the amount of \$63,655.00, which was budgeted in FY2016-2017, as recommended by Compton Engineering, Inc. (Exhibit 7-j)

**Community Development & Planning:**

Planning Commission:

- k) Approve application for lot split and reconfiguration at 511 Azalea Lane, PID (A) #61090007.000 and (B) 61090007.050 as recommended by the Planning Commission – Gayle Marie Clark (Exhibit 7-k)

Historic Preservation Commission:

- l) Approve the application for a Certificate of Appropriateness for Exterior Modifications and a second story addition located at 1301 Bowen Avenue, PID #60137080.000, as recommended by the Historic Planning Commission; detailed plans for the garage will be presented at a later date – Bruno and Julie Milanese (Exhibit 7-l)

Zoning & Adjustment Board:

- m) Approve application for a 20% variance from the required front setback distance for an Accessory Dwelling Unit located at 1313 Iberville Drive, PID #61047005.000, as recommended by the Zoning and Adjustment Board – Angel Caillavet (Exhibit 7-m)
- n) Approve the denial of the application of two variances from (1) the minimum lot size and (2) minimum lot width located at 1502 Kensington Drive, PID #601306460.000, as recommended by the Zoning Adjustment Board – Allen Bos, Sr. (Exhibit 7-n)

**Building Department:**

- o) Accept Tree Protection Committee Meeting Minutes from December 12, 2017. (Exhibit 7-o)
- p) Accept Code Enforcement Report through December 15, 2017 (Exhibit 7-p)

**Parks & Recreation:**

**City Attorney:**

**Facilities:**

**H.R. Committee:**

**Finance Committee:**

**8. DEPARTMENT REPORTS**

**Mayor:**

**City Clerk:**

**Fire Dept.:**

**Human Resources/Risk:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

**Building Department:**

- a) Update on the Front Beach Street Lighting (Exhibit 8-a)
- b) Update on roadway height clearance requirements (Exhibit 8-b)

**Parks & Recreation:**

**City Attorney:**

**Facilities:**

- c) Discussion about facilities department

**H.R. Committee:**

**Finance Committee:**

**9. ALDERMEN'S FORUM**

**10. EXECUTIVE SESSION**

**ADJOURN UNTIL 6:00 P.M. on Tuesday, January 2, 2018**

**ADDENDUM TO AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
RECESS MEETING  
December 19, 2017 - 6:00 p.m.**

**1. CONSENT**

**City Clerk:**

- a) Approve Minutes: Regular Meeting December 5, 2017 (Exhibit A-1a)
- b) Authorize to terminate the status of the Local Emergency enacted by Hurricane Nate (Exhibit A-1b)
- c) Adopt Resolution of the City of Ocean Springs, Mississippi to Declare the Lovers Lane Tree Surplus Personal Property of no Market Value and to Donate Same (Exhibit A-1c)

**Public Works:**

- d) Authorize to transfer Justin Gibbs, Water Department Laborer, to Street Department Equipment Operator effective December 30, 2017; \$14.00 hourly rate; six month probationary status; pending successful completion of all pre-employment requirements; authorize to begin the process to fill the vacant Water Department Laborer position (Exhibit A-1d)

**Community Development & Planning:**

- e) Authorize to pay George T. Fore & Associates \$12,704.00 for Architectural Conservation Consulting Services on the Ocean Springs Community Center as part of the MS Department of Archive and History grant (Exhibit A-1e)