

RECESS MEETING OF MARCH 20, 2018

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 March 20, 2018. Mayor Dobson presiding, Aldermen Cox, Gill, Authement, Bellman, Blackman, and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney Kevin Melchi. Alderman Papania was absent.

The Mayor called the meeting to order.

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

ADDENDUM

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

PUBLIC HEARING

The Mayor pulled the lot cleaning hearing for 210 Mitchell Street from the agenda and asked the Building Official to give the Board an update.

The Building Official stated since the notice was posted the property has been placed under contract and the buyer is currently waiting for their closing date on the property. In the meantime, a contractor has come to the Building Department and pulled an application to do repairs on the property. The Building Official is requesting to pull this item from the agenda. (Exhibit 3-a)

NEW BUSINESS

Ms. Patricia McLeod, 3501 North 9th Street, came before the Board as a concerned parent regarding school safety and the wellbeing of students when it comes to school shootings and gun violence. Ms. McLeod talked about events held at different schools around the coast in conjunction with the national school walk out against gun violence. She said the events at Ocean Springs High School were held to show solidarity of the students, families, and victims of the Parkland School shooting. She said by doing this the students are sending a message to government officials to alert leaders to address gun violence. Ms. McLeod wonders if flying the state flag with a confederate emblem makes people feel that you are legitimately flying a symbol of white supremacy. She believes we are sending mixed signals to our youth and citizens. Ms. McLeod would like to see everyone band

together on the sale of semi-automatic weapons and make a stand against the arming of teachers. She also requested the City stop flying symbols that appeal to mass shooters and white supremacy groups. (Exhibit 4-a)

The Mayor asked the City Attorney to give an overview of the proposed opioid litigation contract. The City Attorney said it is a nationwide class action lawsuit against the opioid industry. Attorney Hank Zuber will represent different cities at no cost to the City.

Motion was made by Alderman Cox, seconded by Alderman Impey and unanimously carried to accept the Opioid Contract Retainer Agreement with Zuber Law Firm and Bossier & Associates, PLLC. (Exhibit 4-b)

OLD BUSINESS

Pamela Blackwell, 3816 Chaumont Circle, came before the Board to speak against flying the state flag. Ms. Blackwell stated that when the Mayor and Board decided to put the state flag back up her hope for the community diminished somewhat and it diminished even more with the resolution that required the state flag be flown here and over other municipal buildings. She feels the emblem on our state flag sends a powerful and harmful message. She said that is not a message that we as a community share and it is not a message that we want to evoke. She believes flying the state flag is having a negative impact and is doing a disservice to the community. Ms. Blackwell said that emblem was put back up at the discretion of this Board and that emblem can come back down at the discretion of this Board. (Exhibit 5-a)

Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to approve the cost estimate for the Singing River Electric LED light conversion project in Bienville Place Subdivision at a cost of \$2,800.00. (Exhibit 5-b)

The Mayor asked the Assistant Parks Director to give the Board an overview of the recommended renovations for softball concession facility at the Highway 57 Sports Complex. The Assistant Parks Director said they would like to remove the roof over the concession area to add a second floor and extend it out in order to allow for more stalls in the restrooms. He said they would like to put the score boxes on the second floor instead of out in the weather.

Alderman Bellman asked what the cost estimate is. Joey Duggan stated the cost estimate for the improvements is estimated at \$242,000.00.

Alderman Authement said he knows it is needed but he would like to have more discussion about it.

Alderman Cox would like to have a work session to go over the plan with the current Board. Alderman Cox asked if Joey Duggan with Compton Engineering would sit with the Board and go over the whole project so the Board can understand it a little more. The Mayor said once the Director of Parks and Recreation is back in town a meeting will be set to go over all of the details. (Exhibit 5-c)

CONSENT AGENDA AND ADDENDUM

Motion was made by Alderman Impey, seconded by Alderman Authement and unanimously carried to approve the Consent Agenda and Addendum.

Motion made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to select Dr. Joel B. Kavanagh as the new Tree Protection Committee member. (Exhibit 6-n)

DEPARTMENT REPORTS and ADDENDUM

City Clerk:

Motion made by Alderman Cox, seconded by Alderman Bellman and unanimously carried to approve the docket of claims and the additional docket of claims. (Exhibit 7-a and A-2a)

Motion made by Alderman Blackman, seconded by Alderman Gill and unanimously carried to approve the request from Mississippi Municipal Service Company to waive the permit application fee for the 8th Annual 5K Fun Run/Walk on Wednesday, June 27, 2018. (Exhibit 7-b)

The City Clerk updated the Board on the vehicles that were declared surplus at the March 6, 2018 Regular Meeting. She stated at that meeting the Board asked to wait to send to auction until the Ocean Springs School District had a chance to look at the vehicles to determine if they could use any of them. The school district declined any of these vehicles so they have been sent to auction. (Exhibit 7-c)

Community Development and Planning:

Motion made by Alderman Impey, seconded by Alderman Blackman to adopt an Ordinance to Rename the Current Clairborn Street to Holcomb Boulevard. Motion passes with all Aldermen voting aye except Alderman Papania who was absent. (Exhibit 7-d)

Alderman Gill	<u>Aye</u>
Alderman Authement	<u>Aye</u>
Alderman Bellman	<u>Aye</u>
Alderman Cox	<u>Aye</u>

Alderman Papania	<u>Absent</u>
Alderman Blackman	<u>Aye</u>
Alderman Impey	<u>Aye</u>

Motion made by Alderman Blackman, seconded by Alderman Impey to adopt an Ordinance to Rename a Portion of the Current Nelson Drive to Clairborn Street. Motion passes with all Aldermen voting aye except Alderman Papania who was absent. (Exhibit 7-e)

Alderman Gill	<u>Aye</u>
Alderman Authement	<u>Aye</u>
Alderman Bellman	<u>Aye</u>
Alderman Cox	<u>Aye</u>
Alderman Papania	<u>Absent</u>
Alderman Blackman	<u>Aye</u>
Alderman Impey	<u>Aye</u>

Motion made by Alderman Cox, seconded by Alderman Gill to adopt an Ordinance to Amend Ordinance Nos. 13-1976 and 6-1984 to Rezone Property Herein Described. Motion passes with all Aldermen voting aye except Alderman Papania who was absent. (Exhibit 7-f)

Alderman Gill	<u>Aye</u>
Alderman Authement	<u>Aye</u>
Alderman Bellman	<u>Aye</u>
Alderman Cox	<u>Aye</u>
Alderman Papania	<u>Absent</u>
Alderman Blackman	<u>Aye</u>
Alderman Impey	<u>Aye</u>

Alderman Impey pulled item (7-g) to adopt an Ordinance to Amend Ordinance Nos. 13-1976 and 6-1984 to Rezone Property Herein Described until the next board meeting at the request of the Planning and Grants Administrator. The request is to rezone this property from R-1 single family residential to R-3A single-family Residential district. The ordinance to establish an R-3A single-family residential district is not in effect at this time, therefore; it was pulled from the agenda. (Exhibit 7-g)

Building Department:

The Building Official discussed the parking area enhancement west of the Ocean Springs Library. He explained this is the parking area between the Senior Citizen Center and the Community Center. He said if you notice in the area where the old water tank used to

be there is still dirt and several valves out there. The Building Official said the prior board discussed doing this project when paving monies became available because of the parking shortage downtown. He would like to remove the overgrown Crepe Myrtles and the fence in order to create additional parking spaces for the Community and Senior Center's. He also said the Planning Department is working on a layout for the area.

Alderman Authement asked to add this to the paving list that has to be revised and resubmitted. (Exhibit 7-h)

The Building Official discussed the request for an amendment to the current flood ordinance. He said the reason for this request is because we are currently undergoing our review for the community rating system. The Building Official said all municipalities are looking at increasing the freeboard height. He said the current ordinance calls for a (1) one foot freeboard above the base flood elevation. The requested amendment is to change that height from (12) twelve inches to (18) eighteen inches which would bring us to an automatic (2) two foot credit according to FEMA and MEMA.

Motion made by Alderman Blackman, seconded by Alderman Cox to adopt an Ordinance Amending Chapter 7, Article VII of the Code of Ordinances of the City of Ocean Springs, Mississippi, Regarding Flood Damage Prevention. Motion passes with all Aldermen voting aye except Alderman Papania who was absent. (Exhibit 7-i)

Alderman Gill	<u>Aye</u>
Alderman Authement	<u>Aye</u>
Alderman Bellman	<u>Aye</u>
Alderman Cox	<u>Aye</u>
Alderman Papania	<u>Absent</u>
Alderman Blackman	<u>Aye</u>
Alderman Impey	<u>Aye</u>

PUBLIC COMMENT

Twenty (20) people spoke against flying the state flag.

ALDERMEN'S FORUM

Alderman Gill asked the City Attorney for an update on the drainage project behind the Ocean Springs Nursing Home. The City Attorney said he is still waiting on the landowner's attorney to contact him. He said their attorney sent one draft of an agreement with language included that the City cannot agree to. The City Attorney said he sent his comments to her and he is still waiting for her to reply. He asked Alderman Gill if he

thought anyone at the nursing home could contact her about it. He said their attorney is located in Michigan. Alderman Gill said he is continually getting feedback from the homeowners about their backyards flooding. The City Attorney will try to contact their attorney again tomorrow and explain about the flooding issues. Alderman Gill asked the City Attorney to look into other legal options that the City can do like a temporary easement to go on the property to clean out the ditch.

Alderman Gill talked about a light study on Ocean Springs Road from Highway 90 to the city limits. Alderman Gill said this is a dangerous road. He said this road is very dark and there is no shoulder on this road.

Motion made by Alderman Gill, seconded by Alderman Cox to ask Singing River Electric to do a light study on Ocean Springs Road from Highway 90 to the city limits.

Alderman Cox said Singing River Electric is doing a light study on everything they have in the City of Ocean Springs and bring back to the Board.

Alderman Impey said Singing River is doing a study on the entire East side of town for existing and low light areas.

Alderman Gill said he and the Mayor will meet with Singing River Electric and get an update on the project and verify it is on their list. Alderman Gill also stated he will get with Randy Bosarge to see if he would like to extend this project from city limits to Highway 57.

Alderman Gill rescinds his motion and Alderman Cox rescinds his second.

Alderman Gill mentioned the possibility of having a St. Patrick's Day Parade in Ocean Springs in 2019. He is asking the Board for permission to move forward with planning a possible date, time, and route. He also mentioned closing the streets at an earlier time for the parade and just keep the road closed for the St. Patrick's Day Pub Crawl.

Alderman Authement talked about the success of the road closure on Saturday for the St. Patrick's Day Pub Crawl. He asked the Public Works Director if we could come up with a map of parking lots and spend an additional (30) thirty minutes to an hour cleaning up these areas the morning after an event.

Alderman Authement asked if there was a cemetery cleanup day coming up in the next week or two. The Public Works Director said they were planning on going to Evergreen Cemetery to do some cleanup work on Monday or Tuesday. Alderman Authement asked if he could get a few people together to clean the parking lot on the west side of Buzzy's Breakfast Joint to get bottles out from under the trees and trim some of the overgrown trees before spring.

Alderman Cox talked about Parks & Recreation needing to install the shade structure over the splash pad at Clay Boyd Park. He said some pine trees in the ditch need to be removed.

Motion made by Alderman Cox, seconded by Alderman Authement and unanimously carried to move forward with allowing them to remove the trees and clean the ditch.

Alderman Cox told the Public Works Director that he rode down Ward Avenue and there is a drain in the driveway of Mr. Bobby Schrieber's house that sits very low and the road has been paved over so many times that the bumper is hitting the asphalt when they back out of their driveway. Alderman Cox asked if there is any way to raise the drain an inch and a half or two (2) inches this should resolve this issue.

Alderman Cox also talked about the ditch behind Mr. Curtis Lloyd's house. He said the City usually gets a right-of-entry through the neighbor's yard to clean out the ditch and it is time to get it done again.

Alderman Cox thanked the Police Chief for the way the officers handled the crowds during the St. Patrick's Day Pub Crawl. He said they were fantastic. He said they were very friendly to everyone, kept everything calm, they were cordial and approached everyone in the right way and everyone appreciated it.

Alderman Cox mentioned a walk through at the Mary C. O'Keefe building and there are a lot of issues that need to be addressed but the biggest one is the roof. The roof behind the stage in the back is leaking over the panel box and asked the Building Official to look for a warranty on the roof or find out who the contractor is and ask them go by there and look at the roof. Alderman Cox asked the Public Works Director if the maintenance department can go by the Mary C. and put a temporary patch on the roof. He said the air conditioning unit over the tech room on the ceiling leaks and asked if someone could reseal around the unit, the air conditioner over the mezzanine is out, and the flag pole sticks and doesn't allow the flag to go all the way to the top of the flag pole. He said he has a list for the City Electrician and Public Works.

Alderman Blackman asked the Assistant Parks Director if the City still supplies the pet waste bags at Freedom Field because he was notified that they are out and have been for a while. The Assistant Parks Director said he will take care of getting some down there.

Alderman Blackman asked what the staffing hours are at the Senior Center. He said he had a couple of ladies ask him the other day because they have been there several times to find out about their hours of operation and senior activities and no one is there. Alderman Blackman was notified that the senior program at the Senior Center is run by Jackson County Civic Action.

Alderman Impey stated that item (a) under executive session is no longer necessary so he requested to pull that item.

EXECUTIVE SESSION

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

The Deputy Clerk returned to the meeting and announced motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to remain in executive session to discuss an update on JCUA litigation and personnel in the Water Department.

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

Alderman Gill talked about The Retail Coach and NextSite and asked the Board to be thinking about these (2) two proposals and be ready to make a decision at the next meeting. Alderman Blackman asked the Mayor to call both companies and ask how and who they recruit. NextSite is backed by Mississippi Power and their proposal is \$24,000.00 for (3) three years and The Retail Coash's proposal is \$40,000.00 for the first year and then it decreases the following year.

The Mayor talked about moving forward with CSpire.

Motion made by Alderman Bellman, seconded by Alderman Authement and unanimously carried to adjourn the meeting until 6:00 p.m. on April 3rd, 2018.

The meeting ended at 9:02 p.m.

City Clerk

Mayor

Date

Date

**AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
RECESS MEETING
March 20, 2018 - 6:00 p.m.**

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC HEARING

- a) Lot cleaning hearing for 210 Mitchell Street – Andrew J. Tucker, Jr. (Exhibit 3-a)

4. NEW BUSINESS

- a) Discuss Ocean Springs School safety concerns – Patricia McLeod (Exhibit 4-a)
- b) Discuss a contract to engage counsel for opioid litigation – Kevin Melchi (Exhibit 4-b)

5. OLD BUSINESS

- a) Discuss concerns regarding the resolution to fly the Mississippi State Flag at municipal buildings – Pamela Blackwell (Exhibit 5-a)
- b) Discuss cost estimate for the LED street light conversion for Bienville Place Subdivision – Mayor Dobson (Exhibit 5-b)
- c) Approve the agreement for professional services for renovations of the softball concession facility at Highway 57 Sports Complex (Exhibit 5-c)

6. CONSENT AGENDA*

** Consent Agenda – All matters listed under Item 6, 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) Ratify check to Megan Boston in the amount of \$20.21 for per diem to attend the MYC Summit in Jackson, MS on March 2-3, 2018 (Exhibit 6-a)
- b) Ratify check to Cristina Werner in the amount of \$20.21 for per diem to attend the MYC Summit in Jackson, MS on March 2-3, 2018 (Exhibit 6-b)
- c) Approve the Mississippi Municipal Service Company 8th Annual 5K Fun Run/Walk on Wednesday, June 27, 2018 from 6:30 am – 8:30 am using the Ocean Springs/Biloxi Bridge only; no cost incurred by the City (Exhibit 6-c)

Police Department:

- d) Approve to transfer Firefighter Paul Regan from the Ocean Springs Fire Department to Patrolman at the Ocean Springs Police Department; \$16.00 hourly rate (certified); effective March 24, 2018; six month probationary period; authorize the Fire Department to begin the process of filling the vacant position (Exhibit 6-d)

Fire Department:

- e) Accept Monthly Fire Department Report (Exhibit 6-e)

Human Resources/Risk:

City Engineer:

Public Works:

Community Development & Planning:

- f) Approve the application for pre-construction tax exemption on property located at 4010 Bienville Blvd., PID #60126190.025 – Rose Lapin (Exhibit 6-f)
- g) Authorize to execute contract with Allen Engineering & Science to finalize the New Zoning District and Unified Development Code (Exhibit 6-g)

Historic Preservation Commission:**Planning Commission:**

- h) Approve the sketch plat of a minor subdivision at 500 Bienville Blvd., PID # 60224020.000, as recommended by the Planning Commission – Infinity Management Group, LLC (Exhibit 6-h)
- i) Approve the request for final plat of Cason Cove Subdivision, PID #61262013.000, south side of Ocean Springs Rd., east of Old CCC Camp Rd. as recommended by the Planning Commission – Stuart Jones (Exhibit)

Zoning & Adjustment Board

- j) Approve a variance at 1301 Bowen Ave., PID #60137080.000, to allow the principal structure to encroach one foot, nine inches into the front yard setback area on Russell Ave. as recommended by the Zoning and Adjustment Board – Bruno and Julie Milanese, applicants (Exhibit 6-j)
- k) Approve a variance at 2501 Bienville Blvd., PID #60120400.000, 60120400.050, 60120400.100, to allow the area of a free-standing sign to be increased by 20% as recommended by the Zoning and Adjustment Board – The Inlet, LLC/Tracey Ross, applicant (Exhibit 6-k)

Building Department:

- l) Accept Tree Protection Committee Meeting Minutes from March 13, 2018 – (Exhibit 6-l)
- m) Accept Code Enforcement report through March 16, 2018 (Exhibit 6-m)
- n) Authorize to review current applications and select one new member for the Tree Protection Committee (Exhibit 6-n)
- o) Authorize to review current applications and select one mechanical contractor to the Building Board of Adjustment & Appeals (Exhibit 6-o)
- p) Authorize to replace two (2) complete light assemblies for streetscape that were damaged by vehicles hitting them at a cost of \$2,995.00 each (Exhibit 6-p)

Parks & Recreation:

- q) Accept Parks Advisory Board Minutes from February 21, 2018 (Exhibit 6-q)
- r) Authorize the Mayor to execute the Lighting Services – Standard Lease Agreement with Mississippi Power to install the poles, cross arms, conduits, and sports lights at the Alice Street ballpark (Exhibit 6-r)
- s) Authorize to hire Jennifer Handler, Custodian, \$11.00 hourly rate; effective immediately; one year probationary status; pending successful completion of all pre-employment requirements (Exhibit 6-s)
- t) Approve the Facility Use Agreement for Ocean Springs Girls Softball League to utilize the Ocean Springs Sports Complex softball fields on Monday thru Thursday nights beginning March 2018 thru May 2018 (Exhibit 6-t)
- u) Approve the Facility Use Agreement for Ocean Springs Adult Softball League to utilize Gay Lemon softball fields on Wednesday and Thursday nights beginning March 14, 2018 thru May 31, 2018 (Exhibit 6-u)
- v) Authorize to enter into an agreement with Coca-Cola Bottling Company United to exclusive usage of their beverages at the Sports Complex and all facilities under the direction of Parks & Recreation in the City; Coca-Cola Bottling Company United will pay the City \$50,000.00 over a period of five (5) years and a percentage of the invoice purchased from the per the agreement (Exhibit 6-v)

City Attorney:

Facilities:

H.R. Committee:

Finance Committee:

7. DEPARTMENT REPORTS

Mayor:

City Clerk:

- a) Approve payment: Docket of Claims and spread Summary upon the Minutes (Exhibit 7-a)
- b) Authorize the request from the Mississippi Municipal Service Company to waive the permit application fee for the 8th Annual 5K Fun Run/Walk scheduled for Wednesday, June 27, 2018 (Exhibit 7-b)
- c) Update the Board on status of vehicles declared as surplus being sent to auction and their corrected unit numbers (Exhibit 7-c)

Police Department:

Fire Department:

Human Resources/Risk:

City Engineer:

Public Works:

Community Development & Planning:

- d) Adopt an Ordinance to Rename the Current Clairborn Street to Holcomb Boulevard (Exhibit 7-d)
- e) Adopt an Ordinance to Rename a Portion of the Current Nelson Drive to Clairborn Street (Exhibit 7-e)
- f) Adopt Ordinance to Amend Ordinance Nos. 13-1976 and 6-1984 to Rezone Property Herein Described - Lot 2 of Bailey Place Subdivision, on the south side of Iberville Drive, east of Cox Avenue, PID #61030001.053, rezoning from C-3 Highway Commercial to R-4 Multi-family Residential District as recommended by the Planning Commission – Walter and Laura Bolton (Exhibit 7-f)
- g) Adopt Ordinance to Amend Ordinance Nos. 13-1976 and 6-1984 to Rezone Property Herein Described - 8900 Old Spanish Trail, PID #60135060.000, 60135060.030, 60135060.020, northwest corner of Old Spanish Trail and Hansaw Road; rezoning from R-1 Single Family Residential to R-3A Single-family Residential District as recommended by the Planning Commission – Elliott Homes (Exhibit 7-g)

Building Department:

- h) Discuss parking area enhancement west of the Ocean Springs Library (Exhibit 7-h)
- i) Discuss revisions to the current flood ordinance (Exhibit 7-i)

Parks & Recreation:

City Attorney:

Facilities

H.R. Committee:

Finance Committee:

- 8. 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.

9. ALDERMEN'S FORUM

10. EXECUTIVE SESSION

- a) Personnel in the Police Department

ADJOURN until 6:00 p.m. on April 3, 2018

**ADDENDUM TO AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
RECESS MEETING
March 20, 2018 - 6:00 p.m.**

1. CONSENT

City Clerk:

- a) Approve Minutes: Regular Meeting March 6, 2018 (Exhibit A-1a)
- b) Approve Minutes: Special Call Meeting March 9, 2018 (Exhibit A-1b)

Fire Department:

- c) Authorize to hire Marcus Williams, Firefighter, effective March 26, 2018; \$10.43 hourly rate; one year probation; pending successful completion of all pre-employment requirements (Exhibit A-1c)
- d) Authorize to hire Caleb Causey, Firefighter, effective April 4, 2018; \$10.43 hourly rate; one year probation; pending successful completion of all pre-employment requirements (Exhibit A-1d)

Public Works:

- e) Authorize to remove Eric Kordek from probationary status to full time status effective March 20, 2018 (Exhibit A-1e)
- f) Authorize to remove Branden Herring from probationary status to full time status effective March 22, 2018 (Exhibit A-1f)

2. DEPARTMENT REPORTS:

- a) Approve payment: Additional Docket of Claims and spread Summary upon the Minutes (Exhibit A-2a)