

RECESS MEETING OF JUNE 19, 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 June 19, 2018. 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 made by Alderman Gill, seconded by Alderman Authement and unanimously carried to accept to add the addendum to the agenda.

PRESENTATION

Fire Chief Jeff Ponson presented a certificate to Savannah Banks naming Savannah as an honorary Ocean Springs Firefighter for her quick actions to notify her father that there was a house fire. He was then able to get everyone out of the house safely and call 911. (Item 3-a)

NEW BUSINESS

The Mayor asked the Board to vote for who they would like to appoint to the various Boards and Commissions. (Exhibit 4-b)

Motion made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to appoint Alderman Ken Papania as Mayor Pro Tem for the term to expire June 30, 2019. (Exhibit 4-a)

Alderman Authement asked Judge Mestayer to explain the reason for not holding municipal court on Wednesday, June 13, 2018. Judge Mestayer stated that court was not cancelled it was a non-scheduled day. Judge Mestayer explained the difference in cancelling court, which is never done, and a non-scheduled day. The Judge said he was not going to be available and due to the court clerk staff being shorthanded recently they requested to have a non-scheduled day in order to get caught up on some work that

needed to be done. He said once that was decided that date is pulled from their calendar and no one is scheduled for court on that date.

The Mayor requested to add Mississippi Power to the agenda at Alderman Papania's request.

Alderman Papania said he has received a proposal from Mississippi Power to do a lighting upgrade to LED lights from Halstead Road to Hanley Road in Ward 4. The upgraded monthly cost of \$1600.51 is for a (3) three year minimum term required and includes complete maintenance of fixtures and brackets.

Motion made by Alderman Papania, seconded by Alderman Gill and unanimously carried to approve the proposal for Ward 4 phase 2 light upgrades from Mississippi Power and ask them to start installing the lights from Halstead Road to Hanley Road.

Alderman Cox asked Sedgwick from Mississippi Power about having a lighting study for the downtown area and stated he would get the information he needs to conduct the study.

OLD BUSINESS

The Mayor pulled item (5-a) regarding the update of lot cleaning for the property located at 420 Jackson Avenue owned by Caroline Gautier.

Mr. Paul Kirkland, Park Advisory Board member, wanted to bring (2) two issues to the Board's attention and seeking support for these items. The first item is the baseball concessions for Highway 57. Mr. Kirkland said currently we are contracting to upgrade the softball structure at the Sports Complex so they would like to add expanding the baseball structure as well by adding some restrooms and a concession area. This structure would not be elevated because when the shade structures were installed and the shape of them would obstruct the view of home plate if it were elevated. The Director of Parks and Recreation stated this would be a lot cheaper for the City to have one contractor handles both projects.

Alderman Cox said he does support this idea but is not ready to give approval to move forward with this project until he sees what the plans are.

Mr. Kirkland said the second item is the Freedom Field Park Improvements. The Parks Advisory Board is seeking approval to go out for bids for professional services to prepare the bid package for the scope of work to enhance the Freedom Field Park with a new track, parking area and moving the lights in.

NEW BUSINESS cont.

Alderman Impey announced the results from the voting of the various Boards and Commission members. Alderman Impey announced Joanna Worch has been reappointed to serve another term but there is a tie for the second position on the Historic Preservation Commission. The Board asked the Mayor to vote to break the tie.

Motion made by Alderman Impey, seconded by Alderman Gill and unanimously carried to appoint Nicholas Gant, Kait Sukiennik, and Dustin Cooper to the Zoning and Adjustment Board.

Motion made by Alderman Impey, seconded by Alderman Cox and unanimously carried to appoint Brigitte Anderson and Dr. William "Bill" Moore to the Library Board.

Motion made by Alderman Impey, seconded by Alderman Authement and unanimously carried to appoint Joanna Worch and Michael Doster to the Historic Preservation Commission. (Item 4-b)

CONSENT and ADDENDUM

Motion made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to approve the Consent Agenda with the exception of item (6-c) which was pulled by Alderman Gill.

Alderman Gill pulled item (6-c) to thank Captain Ducote for his 29 years of service with the City and congratulated him on his retirement.

Motion made by Alderman Gill, seconded by Alderman Cox and unanimously carried to accept item (6-c).

DEPARTMENT REPORTS

City Clerk:

Motion made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to approve to pay the Docket of Claims and spread the summary upon the minutes. (Exhibit 7-a)

The City Clerk updated the Board on the changes requested to make to the grass cutting contract.

The City Clerk notified the Board of the (3) three companies that came to City Hall to demonstrate their financial software and all they had to offer and after reviewing all of

them she is requesting to award the RFP for Financial Software to Tyler Technologies. The City Clerk told the Board that this company would be one that can grow with the City and not be outdated.

Alderman Authement asked if the City Clerk looked into the timecard portion of the software. The City Clerk stated she did but didn't include the cost in the package because she thought there would be enough changes and learning of the software that she would prefer to wait until all of that is implemented and the staff is trained before adding that portion of the software.

Motion made by Alderman Blackman, seconded by Alderman Authement and unanimously carried to award Tyler Technologies, Inc. the bid for Financial Software to include looking into the timecard portion of the software to see if it is within the budget. (Exhibit 7-c)

Community Development & Planning:

The Planning and Grants Administrator gave a presentation on the Gulf of Mexico Alliance Continuity Plan and other related activities. (Item 7-d)

Building Department:

The Deputy Building Official discussed the arborists report and application to remove protected Cypress trees at the Walter Anderson Museum. The Deputy Building Official stated (3) three of the (5) five trees are undersized Cypress trees and the other two are barely above the legal size. The Deputy Building Official stated there was not a quorum at the last Tree Protection Committee meeting in order to address the request in a timely matter.

Motion made by Alderman Gill, seconded by Alderman Authement and unanimously carried to remove the Cypress trees at the Walter Anderson Museum. (Exhibit 7-e)

The Deputy Building Official discussed the appeal of the Tree Protection Committee's decision to deny the removal of trees at 205 White Avenue as requested by Terry Evans. The Deputy Building Official stated there was not a quorum at the last Tree Protection Committee meeting in order to address the appeal in a timely manner.

Motion made by Alderman Bellman, seconded by Alderman Authement and unanimously carried to allow Mr. Evans to remove the trees requested. (Exhibit 7-f)

The Deputy Building Official asked the Board to consider modifying the Tree Protection Committee city member representation requirements.

PUBLIC COMMENTS

Ms. Bobbi Jo Beaugez, 711 Twin Oaks, came before the Board to discuss the flyers that were distributed throughout the City.

Mr. Greg Gipson, 6516 Shoshonee Drive, asked the Board if any investigation has been done regarding the flyers that were distributed. Mr. Gipson also asked the Board how the lawsuit regarding the state flag has been funded.

Mr. Gipson asked the Board to looking into tree trimmers that come down Ocean Springs Road to trim trees and leaving all of the trimmings along the street. Mr. Gipson said the tree trimmings remain on the side of the road until Public Works picks them up and they should not have to pick up behind the company doing the trimming.

Mr. Curley Clark, president of the Moss Point – Jackson County NAACP, stated he is disappointed that the lawsuit regarding the state flag has been dismissed and also stated they have (30) thirty days to appeal. Mr. Clark says he respects the state flag. Mr. Clark also mentioned the recent flag burning event at the Governor's mansion and stated he does not want that to happen in Jackson County.

Mr. James Lewis, 805 Canebrake Drive, came before the Board to talk about the flyers that were distributed in yards throughout the City. Mr. Lewis stated the state flag belongs in a museum. Mr. Lewis also stated it is 2018 and we need to come together as a City and work together to move forward as a City.

Mrs. Kelly Lee Johnson, 524 Jackson Avenue, also talked about the flyers that were distributed around the City. Mrs. Johnson commented her husband feels disrespected and not welcomed here.

ALDERMAN'S FORUM

Alderman Gill said the Aldermen are ready to move forward to fix some drainage issues throughout the City. Alderman Gill said he met with the Public Works Director and was told part of the issue is not having the equipment needed and the manpower to fix them. Alderman Gill wants to address the two or three pieces of equipment needed. Aldermen Gill and Blackman met with the Public Works Director and came up with a list of equipment he needs. Alderman Blackman came up with where to buy, how to buy, and the best way to purchase this equipment.

Alderman Blackman updated the Board with a price for an excavator that Public Works is in desperate need of. Alderman Blackman stated he found out about the NJPA program to purchase a piece of equipment from state contract. He spoke to Caterpillar and inquired about obtaining lease purchase quotes for (3) three year or (5) five year terms

with the option to purchase at the end of the lease term or turn in the equipment for a new piece of equipment at the end of the lease period.

Alderman Gill asked the Public Works Director, City Clerk, and the Mayor to get together to discuss financing for equipment and give a presentation of the findings at the next Board meeting.

Alderman Gill discussed the drawing of the dog park that all of the Aldermen received. Alderman Gill asked all of the Aldermen to mark up the drawing and make any changes they would like to discuss. Alderman Gill asked the Mayor to set up a work session with Garner Russell to discuss any changes so they can move forward with a permanent plan for the dog park.

Alderman Gill asked the City Clerk to distribute a copy of the budget at least a week in advance so the Board can review it and prepare for a work session to begin the budget process for FY18-19.

Alderman Authement asked the Deputy Building Official if he was aware of Ms. Gautier applying for a permit to begin any work at 420 Jackson Avenue.

Alderman Cox commented on the addenda and how hard it is to review them prior to the meeting that starts at 6:00 p.m.

Alderman Cox mentioned a sign in Stark Bayou that was knocked over caused by a car accident. Alderman Cox and the Public Works Director to contact the homeowners association. He said the homeowners association is waiting on a police report to find out if the insurance is going to cover it and if not Alderman Cox said we need to see what the City can do to get the sign up.

Alderman Cox said he saw a work order where Alderman Authement mentioned the Magnolia Kudzu lot. Alderman Cox said the City spent a lot of money putting sod on this lot and the Kudzu is coming back. Alderman Cox would like to see the City sell the lot if we are not able to take care of it. The Planning and Grants Administrator asked if anyone has looked at it because at one time there was another species that was growing that looked like kudzu. She said if it is kudzu then there is a treatment for it.

Alderman Cox said he has received a request from the Building Department to discuss (2) two Residential Building Permit Applications received requesting demolition of structures. Alderman Cox said one is located at 508 Williams Street and the other is located at 1031 Steelman Lane.

Motion made by Alderman Cox, seconded by Alderman Authement and unanimously carried to approve the application to demolish the structure located at 508 Williams Street.

Motion made by Alderman Cox, seconded by Alderman Impey and unanimously carried to approve the application to demolish the structure located at 1031 Steelman Lane.

Alderman Papania discussed the ordinance regarding debris not being picked up after contractors or brought to Public Works. Alderman Papania agrees with this but residents are beginning to complain about homeowners not being allowed to bring items such as, 2x4's, plywood, sheetrock, etc., to Public Works.

The Mayor is going to meet with the Public Works Director, Alderman Cox, and Alderman Papania on Friday morning to discuss the ordinance.

Alderman Blackman thanked Public Works for doing a great job. He had a complaint about some illegal dump sites on Reynolds Circle and Katy Lane. Public Works got those cleaned up and placed some no dumping signs out there.

Alderman Blackman also commented on a sink hole in the middle of the road that appeared to be a 6 inch hole in the road but turned out to be a 4 foot void that went half way across the road. Public Works has already made the permanent repairs to this area.

Alderman Blackman congratulated Captain Ducote on his 29 years of service and also congratulated Officers Tiner and Morvant on their promotions.

Alderman Blackman commented on the good work that the Planning Department is doing. A resident on Bowen Avenue, doing a home restoration, emailed him and was very complimentary of his dealings with the planning staff.

Alderman Blackman asked the Mayor to send a thank you letter to Randy Bosarge and Troy Ross for paving the east end of Government Street from Davis Bayou to the high school.

Alderman Blackman mentioned a bad power outage earlier in the week and commented on the great job Singing River did restoring the power to approximately 689 residents.

Alderman Impey stated years ago when he joined the Police Reserve Captain Ducote had just been promoted to Sergeant and he trained under him. Alderman Impey said Captain Ducote was a great officer and he is going to be missed.

Alderman Impey congratulated all of his Mississippi State friends on their winning game.

Alderman Blackman commented on the good job the Fire Chief did regarding the proclamation he presented to Savannah Banks for alerting her parents to the house fire.

The Mayor echoed the sentiments to Captain Ducote and congratulated him on his retirement.

The Mayor thanked the Parks and Recreation Department for doing a wonderful job they are doing with the increased work load placed on them and they are understaffed and are continuing to do a great job with what they have.

The Director of Parks and Recreation reminded everyone about the Fireworks Show on Tuesday, July 3rd at 8:45. She said there will be music beginning at 6:00 p.m. to 9:00 p.m. at Fort Maurepas.

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

EXECUTIVE SESSION

The City Clerk returned to the Boardroom and announced motion made by Alderman Bellman, seconded by Alderman Papania and unanimously carried to remain in Executive Session to discuss personnel in the Police Department, current litigation regarding JCUA, and Mississippi Rising litigation.

Alderman Blackman came out of Executive Session and exited the building at 9:07 p.m.

Motion made by Alderman Cox, seconded by Alderman Gill to ask the Police Chief put a disciplinary letter in employee #660's file for conduct unbecoming, specifically his actions in the Christmas Parade planning meeting and the treatment of members of the public. Aldermen Gill, Authement, Bellman, Cox, and Papania voted in favor of this action. Alderman Impey voted nay and Alderman Blackman left the meeting prior to the vote.

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

Motion made by Alderman Bellman, seconded by Alderman Cox and unanimously carried to recess the meeting to 6:00 p.m. on July 3, 2018.

The meeting ended at 9:17 p.m.

City Clerk

Mayor

Date

Date

**AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
RECESS MEETING
June 19, 2018 - 6:00 p.m.**

1) CALL TO ORDER

2) ROLL CALL

3) PROCLAMATION

- a) Presentation of Certificate/Proclamation to Savannah Banks

4) NEW BUSINESS

- a) Appoint Mayor Pro Tem for the July 1st, 2018 – June 30th, 2019 term
- b) Appointments to various positions on the Boards and Commissions
- c) Discussion of the use of the Judge Pro Tem and cancellation of Municipal Court on Wednesday, June 13, 2018 – Alderman Authement

5) OLD BUSINESS

- a) Update status of lot cleaning of property located at 420 Jackson Avenue – Caroline Gautier
- b) Recreational Facilities Update – Paul Kirkland, Parks Advisory Board

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) Authorize to advertise for RFP's for Bank Depository for City of Ocean Springs banking services for a period of (2) two years (Exhibit 6-a)

Police Department:

- b) Authorize internal transfers of Latena Wallace from Records Clerk to Dispatcher and Danielle Hayes from Dispatcher to Records Clerk, effective June 18, 2018; no change in hourly wages (Exhibit 6-b)
- c) Accept Captain Mike Ducote's retirement on June 29, 2018, after 29+ years of dedicated service; authorize the promotions of Lieutenant Shane Tiner to Captain; annual salary of \$54,000.00, six month probationary period and place on FLSA-exempt status; promote Sergeant Matthew Morvant to Lieutenant, \$21.07 hourly rate, six month probation; both promotions effective June 30, 2018; pending Civil Service promotional testing the PD will promote a Patrolman to Sergeant and begin the process to hire a Patrolman (Exhibit 6-c)

Fire Department:

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

Human Resources/Risk Management:

City Engineer:

Public Works:

- e) Authorize to hire William Ziz, City Electrician, effective June 20, 2018; \$22.11 hourly rate; one year probationary period pending successful completion of all pre-employment requirements (Exhibit 6-e)
- f) Authorize to advertise for a Street Department Laborer C position that will be vacant upon Paul Ford's retirement on June 29, 2018 (Exhibit 6-f)

Community Development & Planning:

- g) Authorize to execute Supplemental Agreement #1 with Lane Construction Company in the amount of \$19,320.17 for unanticipated subsurface conditions on Porter Avenue for MDOT funding for the Porter Avenue Infrastructure Project – STP-0967-00(001) LPA/105963-701000 pending MDOT concurrence in accordance with MDOT's Project Development Manual for Local Public Agencies (Exhibit 6-g)

- h) Authorize to complete and submit FY20 Tidelands Applications for the Front Beach Living Shoreline Phase II and East Beach Enhanced Shoulder / Sidewalk Projects (Exhibit 6-h)

PLANNING COMMISSION:

- i) Approve application from applicant Susan Mueller for a Lot Split located at 1416 Bowen Avenue, PID #60137125.000, as recommended by the Planning Commission (Exhibit 6-i)
- j) Approve denial of application from Sandra Markland for a Revision to a Special Permit for a Home Day Care located at 3206 Government Street, PID #61600426.000, as recommended by the Planning Commission (Exhibit 6-j)

ZONING ADJUSTMENT BOARD:

- k) Authorize to uphold the denial of appeal regarding the decision of the City Planner regarding the determination of fence height in front and rear yards per the zoning regulations at 104 Spanish Point Circle, PID #610224070.060, as recommended by the Zoning Adjustment Board – Mr. Ted Cain, Applicant (Exhibit 6-k)

HISTORIC PRESERVATION COMMISSION:

- l) Approve application from Jo Ann and Harlon Crimm for a Certificate of Appropriateness to construct an Accessory Dwelling at 314 Jackson Avenue in the Old Ocean Springs Historic District as recommended by the Historic Planning Commission (Exhibit 6-l)
- m) Approve application from Henry Furr for a Certificate of Appropriateness to replace and extend a wooden fence, construct a pergola on the east side of the dwelling, and modify the existing porch's floor and doorway at 1010 Calhoun Avenue in the Old Ocean Springs Historic District as recommended by the Historic Preservation Commission (Exhibit 6-m)

Building Department:

- n) Accept Code Enforcement Report through June 15, 2018 (Exhibit 6-n)

Parks & Recreation:

- o) Accept Parks Advisory Board Minutes from April 18, 2018 (Exhibit 6-o)
- p) Approve the Lease of Building Space Agreement with JCCAC/Head Start to utilize the N. E. Taconi Building for twelve (12) months commencing on July 1, 2018 for a cost of \$32,200.00 (Exhibit 6-p)
- q) Approve the Freedom Field Project Plan of upgrading the lights through MS Power at a monthly lease charge of \$3,970.00 for initial term agreement of 84 months; authorize to secure quotes for the parking plan and poured in place rubber surfacing for the walking track (Exhibit 6-q)

City Attorney:

7) DEPARTMENT REPORTS

Mayor:

City Clerk:

- a) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 7-a)
- b) Discussion on annual grass cutting contract
- c) Award RFP for Financial Software to Tyler Technologies (Exhibit 7-c)

Police Department:

Fire Department:

Human Resources/Risk Management:

City Engineer:

Public Works:

Community Development & Planning:

- d) Presentation: Status on the Gulf of Mexico Alliance funded Continuity Plan and other related activities

Building Department:

- e) Discuss the arborist report and application to remove protected trees at Walter Anderson Museum (Exhibit 7-e)
- f) Discussion regarding appeal of Tree Protection Committee's decision to deny the removal of a Cypress Tree located at 205 White Avenue as requested by Terry Evans (Exhibit 7-f)
- g) Discuss modifying Tree Protection Committee city member representation requirements (Exhibit 7-g)

Parks & Recreation:

City Attorney:

- 8) PUBLIC COMMENT:** *The public is invited to address the Board for up to 3 minutes each for a maximum period of 30 minutes. The Board will take all comments under advisement to take potential*

action at a later date if warranted. Priority will be given to Ocean Springs residents and Business Owners.

9) ALDERMEN'S FORUM

- a) Discuss drainage – Alderman Gill
- b) Discuss dog park – Alderman Gill

10) EXECUTIVE SESSION

- a) Personnel in the Police Department

ADJOURN UNTIL 6:00 P.M. on July 3, 2018

**ADDENDUM TO AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
RECESS MEETING
June 19, 2018 - 6:00 p.m.**

1. CONSENT AGENDA

Mayor:

- a) Adopt the Resolution of the City of Ocean Springs, Mississippi, Requesting the Department of Marine Resources not to Dredge Oysters from any Jackson County Oyster Reefs (Exhibit A-1a)

City Clerk:

- b) Approve Minutes: Regular Meeting June 5, 2018 (Exhibit A-1b)
- c) Approve Minutes: Special Call Meeting June 11, 2018 (Exhibit A-1c)
- d) Authorize to co-host an event with the Mississippi Urban Forest Council, Inc. on July 23-24, 2018 from 9:00 a.m. to 4:00 p.m. each day; authorize to use the Ocean Springs Civic Center for the event at no charge (Exhibit A-1d)
- e) Authorize to declare the Lexmark T634 printer, asset #1885, as surplus (of no value to the City) and remove from the City's inventory (Exhibit A-1e)

Police Department:

- f) Accept the resignation of Patrolman Glenn Fussell effective June 28, 2018; authorize to begin the process of filling the vacant position (Exhibit A-1f)
- g) Authorize the transfer of Patrolman Lionel Cothorn, Jr. to a Firefighter with the Ocean Springs Fire Department; effective July 14, 2018; \$10.42 hourly rate until he graduates from the Academy, then \$11.60 hourly rate; one year probation; authorize to begin the process to fill the vacant position (Exhibit A-1g)

Fire Department:

- h) Authorize to promote Firefighter Chris Hupe to the position of Lieutenant; \$16.15 hourly rate; effective June 20, 2018; six month probationary period (Exhibit A-1h)

Parks & Recreation:

- i) Authorize to hire Brian Parker, Parks Mechanic, effective immediately; \$12.50 hourly rate; one year probationary status pending successful completion of all pre-employment requirements (Exhibit A-1i)
- j) Approve the Lease of Building Space Agreement with the Mississippi Gulf Coast YMCA to utilize the N. E. Taconi Building for twelve (12) months commencing on July 1, 2018 for a cost of \$19,536.60 (Exhibit A-1j)