

REGULAR MEETING OF DECEMBER 4, 2018

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 December 4, 2018. The Mayor presiding, Aldermen Cox, Gill, Authement, Bellman, Papania, Blackman and Impey were present. Also present was City Clerk Patty Gaston 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 Blackman, seconded by Alderman Impey and unanimously carried to add the Addendum to the Agenda.

The Mayor administered the Oath of Office for Deputy City Clerk Vicky Hupe (Exhibit A-1a).

The Building Official began the discussion regarding a water pipe issue at 8309 Holiday Drive (Exhibit A-1b). The property is owned by Mr. McGillivary and is located in the county but receives city water. The Building Official stated that the county has been informed of the situation. Mr. McGillivary was not present at the meeting, but is requesting a sewer adjustment stating a friend helped him make the repairs donating the supplies needed. This property has had repairs and problems for the last 1-2 years receiving assistance from volunteers. Currently, water personnel have confirmed repairs are showing no leaks at this time. Alderman Authement suggested tabling the discussion until the next meeting when the homeowner can be present to represent himself. The Mayor tabled the decision until the next meeting.

There was discussion regarding updating the management agreement with the Friends of the Mary C. O'Keefe Cultural Center and the city so that the ABC Permit Renewal Request may be submitted. Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to update and renew the Management Agreement with Friends of the Mary C. O'Keefe Cultural Center and the City of Ocean Springs.

OLD BUSINESS

The Parks & Recreation Director discussed the rejection of bids for the Highway 57 Sports Complex due to the bids exceeding the budget. Motion was made by Alderman Cox,

seconded by Alderman Papania and unanimously carried to reject the bids for the Hwy 57 Sports Complex.

Motion was made by Alderman Gill, seconded by Alderman Blackman and unanimously carried to reject the bid for the Dog Park due to the bid exceeding the budget.

Alderman Gill recommended to move forward authorizing Overstreet and Associates to solicit RFQ's with multiple quote packages for the Dog Park per Exhibit 3-e with an amendment to item 5.) Pavilion #2 to be separated into items 5a – Pavilion #2 and 5b – concrete slab and restrooms. Motion was made by Alderman Gill, seconded by Alderman Bellman and unanimously carried to authorize Overstreet and Associates to solicit RFQ's with multiple quote packages for the Dog Park with an amendment to item 5 (Exhibit 3-e).

There was discussion of the excavation of the property for the Dog Park. Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to move forward with payment of \$2,800.00 to Opie's Tractor Service for grading and excavation at the Dog Park. Following further discussion, motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to request assistance from Jackson County with hydro seeding around the pond for the Dog Park. The Board authorized the Mayor to write request letters and the City Attorney to write a resolution regarding the grading and excavation of the property and a resolution regarding the hydro seeding at the Dog Park (Exhibit 3-b).

Motion was made by Alderman Blackman and seconded by Alderman Authement to adopt **Ordinance No. 2018-28 An Ordinance to Amend Ordinances 2016-06 and 2017-04 Which Established Leisure and Recreation Districts Within the Corporate Boundaries of The City of Ocean Springs, Mississippi, and Designate the Geographic Areas Included Within and Boundaries of said Districts; and for Related Purposes** as presented (Exhibit 3-c). The motion carried with a roll call vote as follows:

Alderman Gill	Aye
Alderman Authement	Aye
Alderman Bellman	Aye
Alderman Cox	Aye
Alderman Papania	Aye
Alderman Blackman	Aye
Alderman Impey	Aye

Alderman Gill presented the letter from Overstreet & Associates Consulting Engineers regarding Dog Park bids and asked that it be included in the minutes. Motion was made by Alderman Gill, seconded by Alderman Authement and unanimously carried to add the

letter regarding Dog Park bids from Overstreet & Associates Consulting Engineers dated November 12, 2018 to the minutes (Exhibit 3-e).

The Purchasing Agent gave an update on the Tyler Project status, which is the new accounting software system, which will begin with onsite training visits in late February and planning to go live in May.

NEW BUSINESS

Alderman Impey explained the Resolution to the Mississippi House of Representatives and the Mississippi State Senate which supports proposed legislation to allow Electric Power Associations to provide broadband services. Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to adopt this resolution (Exhibit 4-a).

CONSENT AGENDA

Motion was made by Alderman Impey, seconded by Alderman Authement and unanimously carried to approve the Consent Agenda except items (a), (i) and (m).

Alderman Blackman explained that he pulled item (a) to correct wording in the minutes for the Recess Meeting of November 20, 2018. Motion was made by Alderman Blackman, seconded by Alderman Gill and unanimously carried to correct wording in the Executive Session portion of the November 20, 2018 minutes, rearrange the sequence of the paragraphs and changing the wording from "coming out of closed session" to "coming out of executive section".

Alderman Gill explained that he pulled item (m) which is an application for Residential Short Term Rental (STR) Permit at 3230 Cumberland (Oak Glen Marina Condominiums) – Unit 13/ PID: 61332013.000; to be tabled until the next board meeting to allow the condo association to vote on the issue at their annual meeting tomorrow night. Alderman Authement recused himself from the discussion and stepped out of the room. Oak Glen Condo Association Representative Nick Redstock spoke about not having an opportunity to put the short term rental issue to a vote with their members before the Planning Commission meeting. He requested that it be tabled until the next board meeting to give the association members the opportunity to vote on it. Rachel Schmitt, the applicant for the permit, spoke and said that she has provided everything that has been required and has Planning Commission approval. Alderman Gill explained that in the short term rental ordinance states the Homeowners Association has the right to allow short term rentals. Alderman Impey inquired about the activity of the Homeowners Association and the cost accrued by Rachel Schmitt. Motion was made by Alderman Gill and seconded by Alderman Papania to table the application until the December 18, 2018 board meeting. Motion

carried with Aldermen Gill, Bellman, Cox, Papania, and Blackman voting aye and Aldermen Impey voting nay.

Alderman Blackman explained that he pulled item (i) for clarification. The Planning/Grants Administrator explained it is for the curb to be cut at 1303 Bowen Avenue. The property is in the historic district and did go through the Historic Preservation Commission for conceptual design. She explained the curb needs to be cut since the road is not wide enough which will allow cars parking in front of the house to park further off the road. Alderman Blackman expressed concern about license to encroach. Planning/Grants Administrator explained the license to encroach would not interfere with utilities so there is no conflict and they will have to get a construction permit before work is done. Motion was made by Alderman Authement, seconded by Alderman Bellman and unanimously carried to approve item (i) Application for a Request for License to Encroach for Parking Bay within Bowen Avenue Right-of-way.

DEPARTMENT REPORTS

Motion was made by Alderman Cox, seconded by Alderman Authement and unanimously carried to approve the docket of claims (Exhibit 6-a).

The Building Official requested the dying Water Oak trees on the east side of Taconi against the building on public property to be removed. Aldermen Authement added there is a third tree adjacent to the building that also needs to be removed. The Building Official asked for permission to remove these non-protected trees and trim the protected trees. He stated Parks has the funds to cover cost which the Parks Director confirmed. The Building Official added the south side of the tennis courts has numerous trees with falling leaves, sap, limbs, etc.; requesting permission for all non-protected trees to be removed at that public property as well. He stated the Tree Maintenance budget has funds to cover the cost at the tennis courts. Motion was made by Alderman Cox, seconded by Alderman Papania and unanimously carried to remove and trim all of the requested trees.

PUBLIC COMMENTS

None

ALDERMAN'S FORUM

Alderman Authement discussed the traffic on Magnolia Avenue and said he would like to put school zone signs up. The Police Chief suggested hiring a crossing guard for the area. Motion was made by Alderman Authement, seconded by Alderman Gill and unanimously carried to have the City Attorney research the ordinances, prepare one if needed to add

school zone signs and speed limit signs on Magnolia Avenue in front of the Taconi Building.

Alderman Authement said the owner of Love Ivey, located at 914 Washington Avenue, would like to remove a big flower bed in front of the building to add more parking. The Building Official stated that he had already spoken with the owner and advised them to submit paperwork to the Planning Department for the removal.

Alderman Authement reminded everyone of upcoming events; the Porter Avenue Dedication tomorrow, the Christmas tree lighting on Thursday, and the Christmas parade on Sunday. The City Clerk explained the city's share of cost for Christmas tree lighting is \$3,400.00 and the funds will come from the Mayor and Board's promotional miscellaneous fund.

Alderman Bellman discussed how the voting for RFQ firms has been handled and said he would like it changed from a ranking number system to a single vote for the firm chosen by the respective Aldermen. Motion was made my Alderman Papania and seconded by Alderman Bellman to remove the RFQ ranking system and list one selection. Motion carried with Aldermen Gill, Authement, Bellman, and Papania voting aye and Aldermen Blackman, Cox, and Impey voting nay.

Alderman Cox asked the Parks & Recreation Director if the Ryan Youth Center is being utilized for basketball practice and she responded that all of the buildings are being utilized as much as possible since there are ninety-six 7 and 8 year olds playing this year. Alderman Cox suggested moving table tennis to the voting precinct to allow basketball practice Friday night as well.

Alderman Cox asked Alderman Authement about placing the Ocean Beach Estate lots owned by the city for sale. Alderman Authement said that he will get the list to City Attorney. Alderman Cox also said he would like to research a Culeoka lot that was presented to the city to buy for drainage easements.

Alderman Cox said that the Kudzu lot on Magnolia Avenue is over grown. The Planning/Grants Administrator explained that the city purchased the property with CIAP funds with permanent easements and property cannot be built on due to buried debris. The City removed two dumpsters of debris and sodded over the remaining as to not disturb the dirt. Alderman Cox said the neighbor may be interested in buying and maintaining the lot. The Planning/Grants Administrator said the lot is on the regular schedule mowing maintenance for the upland section of land and the other sloped section is designed to grow over naturally with non-invasive species. She will research to see if the lot can be sold.

Alderman Cox said that the Mary C. O'Keefe Cultural Center is requesting a handicap ramp be built in the theatre to the stage. The Building Official explained the requirements

and the federal guidelines due to being historical. There was discussion regarding a ramp versus a lift and egress for evacuation. The Planning/Grants Administrator stated there is ADA access from the outside to the back to the stage, a ramp may obstruct walkway and may require removal of seats. A detachable ramp is a possibility rather than permanent ramp or a lift would be better for space. She also stated that the MS Department of Archives and History (MDAH) would have to approve a permit for a permanent installation and that handrails would be quick and beneficial until the issue can be researched and decision can be made.

Alderman Cox gave an update on Mr. Jerry Goff's property at 176 Linda Circle and said that the windows, fascia and soffit are all repaired on the front of house. The remaining repairs should be completed by end of year. He also said that the drainage easement on side of home has dead trees, limbs hanging over house and Mr. Goff requested removal of the dead limbs.

Alderman Papania said he has received calls regarding the monster ditch, located behind Whispering Pines subdivision, being blocked and needing to be cleaned which he already discussed with the Public Works Director.

Alderman Blackman thanked the department heads and employees for all their work making the surplus auction a success.

Alderman Impey said that Cristina Werner, the Executive Assistant to the Mayor and Board of Aldermen, has done a great job and wished her well upon her resignation. He also gave an update on Little Levi Krystosek who had surgery today to straighten his spine and said he is doing great and in good spirits after the 8-9 hour surgery.

The Building Official said that the traffic from the 3-D school dismissal at Taconi in the afternoons is causing traffic to back up and line up on Porter Avenue. The Parks & Recreation Director said she would talk to the school about the car procedures for dismissal.

The City Clerk thanked the Mayor, Alderman Blackman, AGJ and Purchasing Agent Ryheen Brown for setting up the new TV's in boardroom. And also, thanked Water Technician Eddie Hibbard for his work on two weekends to move furniture and set up offices in City Hall.

EXECUTIVE SESSION

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

The City Clerk returned to the meeting and announced a motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to remain in executive session to discuss litigation in the Water Department.

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to accept the recommendation from City Clerk to move forward with the water MTU plan with Aclara Technologies.

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to come out of executive session.

Motion was made by Alderman Bellman, seconded by Alderman Gill and unanimously carried to recess the meeting until 6:00 p.m. on December 18, 2018.

Meeting ended at 7:51 p.m.

City Clerk

Mayor

Date

Date

AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
December 4, 2018 - 6:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

3. OLD BUSINESS

- a) Discussion of Rejection of Bids for Highway 57 Sports Complex
- b) Discussion of Request for Proposals for Dog Park
- c) Adopt an Ordinance to Amend Ordinances 2016-06 and 2017-04 Which Established Leisure and Recreation Districts Within the Corporate Boundaries of The City of Ocean Springs, Mississippi, and Designate the Geographic Areas Included Within and Boundaries of said Districts; and for Related Purposes (Exhibit 3-c)
- d) Update for Tyler Project status

4. NEW BUSINESS

- a) Adopt Resolution of the Mayor and Board of Aldermen of the City of Ocean Springs, Mississippi to the Mississippi House of Representatives and the Mississippi State Senate (Exhibit 4-a)

5. 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) Approve Minutes: Recess Meeting November 20, 2018 (Exhibit 5-a)

Police Department:

Fire Department:

Human Resources/Risk Management:

- b) Accept resignation of Patrolman Avery Farish, effective December 16, 2018; authorize beginning the process to fill the vacancy (Exhibit 5-b)
- c) Authorize removing Records Clerk Danielle Hayes from probationary status to full time status effective November 20, 2018 (Exhibit 5-c)
- d) Authorize to convert Corrections Officer (General Service Officer) Christian Gage Nelson to position of Patrolman effective December 5, 2018; current rate of pay is \$13.27/hour; after graduation from the Academy pay will be set at \$14.50/hour (Exhibit 5-d)
- e) Authorize to transfer Corrections Officer Eli Savage to Dispatcher effective December 5, 2018 at same rate of pay (Exhibit 5-e)
- f) Authorize to extend Laborer C Vernon Smith probationary period for 6 months until June 16, 2019 (Exhibit 5-f)

City Engineer:

Public Works:

Community Development & Planning:

- g) Authorize to Apply for MDOT Emergency Road & Bridge Repair Fund (ERBR) for Deana Road / Steelman Lane (Exhibit 5-g)
- h) Authorize to Execute Sub-Grant Agreement with DMR for National Heritage Area Funding to Purchase and Install the Evergreen Cemetery Historical Marker (Exhibit 5-h)
- i) Approve Application for a Request for License to Encroach for Parking Bay within Bowen Avenue Right-of-Way (Exhibit 5-i)
- j) Authorize to submit a Letter of Request for Activation to MDOT Transportation Improvements Program (TIP) Federal Surface Transportation Program (STP) for City-Wide Wayfinding Study approved for FY19 (Exhibit 5-j)
- k) Authorize to submit a Letter of Request for Activation to MDOT Transportation Improvements Program (TIP) Federal Surface Transportation Program (STP) for Each Beach Sidewalk project approved for FY20 (Exhibit 5-k)
- l) Authorize to Request Activation to MDOT Transportation Improvements Program (TIP) Federal Surface Transportation Program (STP) for Ocean Springs Road Phase I approved for FY2021 (Exhibit 5-l)

Planning Commission:

- m) Approve Application for Rachel Schmitt – 3230 Cumberland (Oak Glen Marina Condominiums) – Unit 13/ PID: 61332013.000 - Residential Short Term Rental (STR) Permit (Exhibit 5-m)

Building Department:

- n) Approve the Tree Protection Committee Meeting minutes from November 27, 2018. (Exhibit 5-n))
- o) Approve Code Enforcement Report through November 30, 2018 (Exhibit 5-o)

Parks & Recreation:

City Attorney:

6. DEPARTMENT REPORTS

Mayor:

City Clerk:

- a) Approve payment: Docket of Claims and spread summary on the Minutes (Exhibit 6-a)

Police Department:

Fire Department:

Human Resources/Risk Manager:

City Engineer:

Public Works:

Community Development & Planning:

Building Department:

Parks & Recreation:

City Attorney:

7. 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.*

8. ALDERMEN'S FORUM

9. EXECUTIVE SESSION

RECESS UNTIL 6:00 P.M. on December 18, 2018

**ADDENDUM TO AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
December 4, 2018 - 6:00 p.m.**

1. NEW BUSINESS

- a) Oath of Office for Vicky Hupe (Exhibit A-1a)
- b) Discussion of Water Bill for Mr. McGillivray at 8309 Holiday Drive (Exhibit A-1b)
- c) Discussion to update ABC Renewal Agreement with Friends of the Mary C. O'Keefe Cultural Center and the City of Ocean Springs

2. CONSENT

Mayor:

- a) Accept the resignation of Executive Assistant Cristina Werner effective December 21, 2018 and authorize to begin the process to fill the vacancy (Exhibit A-2a)

Police Department:

- b) Ratify per diem payments of \$82.00 each to Assessors Robert Morgan and Charlie Sims for reaccreditation assessment, December 5-6, 2018 (Exhibit A-2b)