

## **RECESS MEETING OF APRIL 21, 2020**

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 April 21, 2020. The Mayor presiding, Aldermen Cox, Gill, Authement, Bellman, Papania, Blackman and Impey were present. Also present were City Attorney Nicole Sullivan, City Clerk Patty Gaston, Deputy City Clerk Vicky Hupe, Police Chief Mark Dunston, Fire Chief Derek McCoy, Planning & Grants Administrator Carolyn Martin, Building Official Darrell Stringfellow, Public Works Director Allan Ladrner, Parks & Recreation Director Geri Straight, Human Resources & Risk Management Director Mindy McDowell and Executive Assistant to the Mayor & Board Meggan Brown.

No public were physically present due to the local state of emergency proclaimed by Mayor Dobson on Monday, March 16, 2020 regarding COVID-19. The meeting was made available to the public via live stream.

The Mayor called the meeting to order.

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

Motion was made by Alderman Blackman, seconded by Alderman Gill and unanimously carried to accept the agenda.

### **PUBLIC HEARINGS**

The public was asked to call to connect to a dedicated phone number during the Board meeting for comment or to submit comments in writing to the Planning Department.

Item 3.a) The Planning & Grants Administrator explained that the first public hearing is the request of a lot split at 709 Church Street by Roger and Vicki Applewhite (Exhibit 3-a). Alderman Impey recused himself from this item. Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to go into Public Hearing.

Roger and Vicki Applewhite joined the meeting per teleconference to answer any questions. No public comments or input were received.

The Planning & Grants Administrator said the lot split will create a space for a single family residential house they plan to construct in the future. The public hearing will remain open for input until the next Regular Meeting on May 5, 2020.

Item 3.b) The Planning & Grants Administrator said the second public hearing is the request of a Conditional Use Permit (CUP) at 1110 Government Street to allow dedicated parking spaces to be located further away than the required 300 foot radius (Exhibit 3-b). Motion

EXHIBIT #

6-j

was made by Alderman Authement, seconded by Alderman Papania and unanimously carried to go into Public Hearing.

Jourdan Nicaud joined the meeting per teleconference to answer any questions. No public comments or input were received.

The Planning & Grants Administrator said the reason for this conditional use process is because the property does not have adequate off-street parking. The off street parking that was secured on private property is just outside the radius currently required by code. The Planning Commission recommended approval. The public hearing will remain open for input until the next Regular Meeting on May 5, 2020.

Item 3.c) The Planning & Grants Administrator said the third public hearing is the request of Final Plat approval for a 29 lot subdivision zoned as R3, located at 8900 Old Spanish Trail (Exhibit 3-c). Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to go into Public Hearing.

Kenneth Jones, representative of Elliott Homes, joined the meeting per teleconference, to answer any questions. No public comments or input were received.

The Planning Commission recommended approval pending completion of "punch list items" identified by Public Works and City Engineer. No further input was received. The public hearing will remain open for input until the next Regular Meeting on May 5, 2020.

Item 3.d) The Planning & Grants Administrator said the fourth public hearing is the request of a Sketch Plat & Final Plat approval for a 3 lot minor subdivision at 1151 Robinson Street (Exhibit 3-d). Motion was made by Alderman Gill, seconded by Alderman Cox and unanimously carried to go into Public Hearing.

Chris Cospers joined the meeting per teleconference to answer any questions. No public comments or input were received.

The Planning & Grants Administrator said it is a minor subdivision on a technicality, that there are three functioning buildings on one actual parcel and this application will divide the property into three parcels so that each building will be its own entity. The Planning Commission recommended approval. No further input received. The public hearing will remain open for input until the next Regular Meeting on May 5, 2020.

Item 3.e) The Planning & Grants Administrator said the fifth public hearing is the request of front yard variances for a 23 lot subdivision to allow for building residences around trees and to allow for rear parking at the Bills Avenue Subdivision (Exhibit 3-e). Motion was made by Alderman Authement, seconded by Alderman Blackman and unanimously carried to go into Public Hearing.

Kelly Lane joined the meeting per teleconference to answer any questions. No public comments or input were received.

The Planning & Grants Administrator said all parking will be in the rear of the properties and that they are asking for a five foot variance in the set back of the front of the lots. The Planning Commission recommended approval. No further input received. The public hearing will remain open for input until the next Regular Meeting on May 5, 2020.

Item 3.f) The Planning & Grants Administrator said the sixth public hearing is the request of Final Plat approval for a 23 lot subdivision; Bills Avenue Subdivision (Exhibit 3-f). Motion was made by Alderman Blackman, seconded by Alderman Gill and unanimously carried to go into Public Hearing.

Jimmy Lane joined the meeting per teleconference to answer any questions. No public comments or input were received.

The Planning & Grants Administrator said that a pending school easement is holding back some of the drainage work from progressing, which in turn is delaying the city's water and sewer service project. The Planning Commission recommended approval pending completion of "punch list" items. No further input received. The public hearing will remain open for input until the next Regular Meeting on May 5, 2020.

Item 3.g) The Planning & Grants Administrator said the seventh public hearing is the request for Certificate of Appropriateness (COA) for an exterior renovation and modifications at 1126 Iberville Drive (Exhibit 3-g). Motion was made by Alderman Authement, seconded by Alderman Blackman and unanimously carried to go into Public Hearing.

The City Planner joined the meeting per teleconference to answer any questions. No public comments or input were received.

The City Planner said the applicants are converting a screen porch to living space and adding 328 square feet to the rear of the house. The Historic Preservation Commission recommended approval. No further input received. The public hearing will remain open for input until the next Regular Meeting on May 5, 2020.

Item 3.h) The Planning & Grants Administrator said the eighth public hearing is the request for a Certificate of Appropriateness (COA) for an exterior addition and renovation at 616 Porter Avenue (Exhibit 3-h). Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to go into Public Hearing.

The City Planner joined the meeting per teleconference to answer any questions. No public comments or input were received.

The City Planner said the property is next to The Roost and the applicant will add a second floor and offer a short term rental units as an extension of the activity at the Roost. The Historic Preservation Commission recommended approval. No further input received. The public hearing will remain open for input until the next Regular Meeting on May 5, 2020.

## **OLD BUSINESS**

Motion was made by Alderman Gill, seconded by Alderman Blackman and unanimously carried to close the Public Hearing; request for approval of minor subdivision of 2 lots at 144 Pittman Road, PID #60134108.000; applicants Mike and Julia Vickery (Exhibit 4-a).

The Planning & Grants Administrator said no further input was received. She said the Planning Commission's recommendation is to deny and public input requested denial. Motion was made by Alderman Blackman, seconded by Alderman Authement and unanimously carried to uphold the Planning Commission's recommendation and deny request for minor subdivision of 2 lots at 144 Pittman Road, PID #60134108.000.

Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to close the Public Hearing; request for rezoning to R-3, Medium Density Residential District from R-1, Low Density Residential District at the SW corner of Old CCC Camp Road and Reilly Road, PID #60123050.000 (Exhibit 4-b).

The Planning & Grants Administrator said no further input was received. She said the Planning Commission's recommendation is to approve. Motion was made by Alderman Authement and seconded by Alderman Impey to approve the proposed Ordinance to allow the request for rezoning to R-3, Medium Density Residential District from R-1, Low Density Residential District at the SW corner of Old CCC Camp Road and Reilly Road.

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

Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to close the Public Hearing; request for rezoning to CMX-2, Community Commercial /Mixed Use District from CMX-1 Neighborhood Commercial/Mixed Use District at 709 and 711 Church Street, PID #60119116.000 and PID #60119124.000 (Exhibit 4-c); Alderman Impey recused himself for this item.

The Planning & Grants Administrator said no further input was received. She said the Planning Commission's recommendation is to approve. Motion was made by Alderman Authement and seconded by Alderman Blackman to approve the proposed Ordinance to allow the rezoning to CMX-2, Community Commercial /Mixed Use District from CMX-1, Neighborhood Commercial/Mixed Use District at 709 and 711 Church Street.

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	Recused

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to close the Public Hearing; request for approval of Conditional Use Permit (CUP) for single family detached dwelling in the CMX-2 Community Commercial/Mixed Use District at 709 Church Street, PID #60119116.000 (Exhibit 4-d); Alderman Impey recused himself for this item.

The Planning & Grants Administrator said no further input was received. She said the Planning Commission's recommendation is to approve. Motion was made by Alderman Authement, seconded by Alderman Blackman and unanimously carried to approve the request for approval of Conditional Use Permit (CUP) for a single family detached dwelling in the CMX-2, Community Commercial/Mixed Use District at 709 Church Street.

## **NEW BUSINESS**

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to appoint Fire Chief Derek McCoy as the Emergency Operations Center (EOC) Director as of April 21, 2020.

## **CONSENT AGENDA**

Motion was made by Alderman Gill, seconded by Alderman Blackman and unanimously carried to approve the Consent Agenda.

- a) Authorize payment in the amount of \$1,500 from Ward 4 funds to Water's Edge HOA for sprinkler repair and landscaping within the City's right of way
- b) Adopt Resolution extending Proclamation of local emergency regarding the Novel Coronavirus Disease (COVIC-19) outbreak (Exhibit 6-b)
- c) Approve Minutes: Special Call Meeting April 2, 2020 (Exhibit 6-c)

- d) Accept monthly Fire Department Report for February 2020 (Exhibit 6-d)
- e) Accept Minutes: Human Resources Committee Meeting April 14, 2020 (Exhibit 6-e)
- f) Human Resources action items (Exhibit 6-f):
  - a. Authorize promotion of Records Clerk Danielle Hayes to Senior Records Clerk, Grade 6, Step 1, \$13.89 hourly rate and the transfer of Deputy Court Clerk II Amanda Escobar to Records Clerk, Grade 3, Step 7, \$13.51 hourly rate; both effective May 2, 2020; authorize to begin the process of filling the vacant Deputy Court Clerk position.
  - b. Authorize employment of Christopher Meadows, Police Officer, Step 4, \$16.83 hourly rate, effective on or about April 22, 2020, pending successful completion of all pre-employment requirements
  - c. Authorize employment of Samuel Borden, Part-Time Police Officer, \$13.00 hourly rate, effective on or about April 22, 2020, pending successful completion of all pre-employment requirements
  - d. Accept resignation of Police Officer Barbi Barnes, effective April 24, 2020; authorize to begin the process of filling the vacant position
  - e. Accept resignation of Part-Time Police Officer Sheenon Rhome, effective March 26, 2020; authorize to begin the process of filling the vacant position
  - f. Authorize removal of Street Laborer Richard Miller from probationary status to full time status effective April 8, 2020
  - g. Authorize removal of Street Laborer Kevin Ruebel from probationary status to full time status effective April 8, 2020
  - h. Authorize employment of Jesse Charboneau, Parks Maintenance Worker (Building), Grade 3, Step 1, \$12.00 hourly rate, effective April 22, 2020, pending successful completion of all pre-employment requirements
  - i. Authorize removal of Custodian Delante Weston from probationary status to full time status effective April 22, 2020
- g) Approve request for gravel driveway and parking area for 1 Mimosa Cove, PID 61267004.000; William Odom (Exhibit 6-g)
- h) Approve request for gravel parking lot for 1006 Clairborn Street PID 61300061.000; Douglas Roll (Exhibit 6-h)
- i) Approve request of variance to allow parking spaces to be within the front yard and back into a street for 616 Porter Avenue; Joe Cloyd (Exhibit 6-i)
- j) Accept Building Department March 2020 Permit Report (Exhibit 6-j)
- k) Accept Tree Protection Committee meeting minutes from March 23, 2020 (Exhibit 6-k)
- l) Accept Tree Protection Committee meeting minutes from April 14, 2020 (Exhibit 6-l)

## **DEPARTMENT REPORTS**

### CITY CLERK:

Motion was made by Alderman Impey, seconded by Alderman Bellman and unanimously carried to approve the Docket of Claims; the Board finds that all expenses are lawful and appropriate (Exhibit 7-a).

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to approve the budget amendments (Exhibit 7-b)

#### HUMAN RESOURCES:

The Human Resources & Risk Management Director presented the Families First Coronavirus Response Act policy and explained that it provides emergency paid sick leave and expanded FMLA leave for employees affected by the COVID-19 outbreak. Motion was made by Alderman Blackman, seconded by Alderman Authement and unanimously carried to approve the Families First Coronavirus Response Act Policy (Exhibit 7-c).

#### PUBLIC WORKS:

Motion was made by Alderman Blackman, seconded by Alderman Bellman and unanimously carried to approve an MOU between Ocean Springs Carnival Association and the City of Ocean Springs, edited to add a hold harmless section (Exhibit 7-d).

#### BUILDING DEPARTMENT:

The resident, David Tyndall, at 400 Maginnis Avenue appealed the Tree Protection Committee (TPC) denial of tree removal (Exhibit 7-e). The resident provided the board with additional information, showing the tree to be removed is in the footprint of the home. Motion was made by Alderman Blackman, seconded by Alderman Bellman and unanimously carried to approve appeal of the TPC decision and approve removal of a tree at 400 Maginnis Avenue.

### **ALDERMAN'S FORUM**

Alderman Authement read a letter from Lighthouse Academy for Dyslexia thanking the Board for their support.

Alderman Cox said that the 1699 Reenactment festivities have been cancelled. He thanked Jackson County for finishing the parking at the Hwy. 57 Sports Complex. He requested that the Mayor audit the City's boards and commissions because he has been told that some members have not been contacted after the initial letter saying they were appointed.

Alderman Papania thanked the City Clerk for a breakdown of legal and engineering costs.

Alderman Blackman thanked all City employees and all the medical staff in our community. He said that the TPC had a tie vote regarding the request for removal of a tree at 3608 Perryman Road and the Board must make the final decision. He said the tree is near the house and affecting the gas and water lines to the house. Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to approve removal of tree at 3608 Perryman Road.

Alderman Impey announced that tomorrow, April 22nd from 12:00-3:00 p.m. the Fire Department will be distributing hand sanitizer to the public; the hand sanitizer was obtained through donation from Family Frozen Foods and M&M Bank. He also thanked Lowes in Gautier for donating a washer, dryer, detergent and other supplies to the Ocean Springs Fire Department as well.

## **EXECUTIVE SESSION**

Motion was made by Alderman Blackman, seconded by Alderman Cox 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 that a motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to remain in executive session to discuss pending litigation and to review public sale offers received on property located at Lot 2261 Ocean Beach Estates Subdivision.

Motion was made by Alderman Cox and seconded by Alderman Impey to deny both bids for surplus property located at Lot 2261 of Ocean Beach Estates Subdivision as unsatisfactory. Motion failed with Aldermen Cox, Impey, and Blackman voting aye and Aldermen Papania, Bellman, Gill, and Authement voting nay.

Motion was made by Alderman Gill and seconded by Alderman Authement to accept the highest and best bid from Ancillary Capital for surplus property located at Lot 2261 of Ocean Beach Estates Subdivision in the amount of \$2,141.00. Motion passed with Aldermen Gill, Authement, Papania, and Bellman voting aye and Aldermen Cox, Blackman, and Impey voting nay.

Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to authorize the City Attorney to request formal opinion from the Attorney General's office regarding responsibility of cost for tapping into the City water and sewer main.

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

Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to adjourn the meeting until 6:00 p.m. on May 5, 2020.

Meeting ended at 7:57 p.m.

Betty Manton 5/6/2020  
City Clerk Date

Alan Dean 5/6/2020  
Mayor Date



**RECESS MEETING AGENDA**  
**MAYOR AND BOARD OF ALDERMEN • CITY OF OCEAN SPRINGS**  
**April 21, 2020 – 6:00 p.m. at City Hall**

**1. CALL TO ORDER**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

**3. PUBLIC HEARING**

- a) 709 Church Street, PID# 60119116.000 - Roger & Vicki Applewhite – Requesting a lot split. (Exhibit 3-a)
- b) 1110 Government Street, PID# 61190006.000 – Joudran Nicaud - Requesting a Conditional use Permit (CUP) to allow dedicated parking spaces to be further than the required 300 foot radius (Exhibit 3-b)
- c) 8900 Old Spanish Trail – Spanish Cove SD – Elliott Land Development, LLC – Requesting Final Plat approval for a 29 lot subdivision zoned as R3, located on PID#s 60135060.000, 60135060.020, and 60135060.030 (Exhibit 3-c)
- d) 1151 Robinson Street, PID# 60119545.010 – Centennial Plaza – Chris Cosper – Requesting Sketch Plat & Final Plat approval for a 3 lot minor subdivision (Exhibit 3-d)
- e) Bills Avenue Subdivision – Little Bluff, LLC – Requesting front yard variances for a 23 lot subdivision to allow for building residences around trees and to allow for rear parking (Exhibit 3-e)
- f) Bills Avenue Subdivision – Little Bluff, LLC – Requesting Final Plat approval for a 23 lot subdivision (Exhibit 3-f)
- g) 1126 Iberville Drive – Joshua Adams – Request for Certificate of Appropriateness (COA) for an exterior renovation and modifications (Exhibit 3-g)
- h) 616 Porter Avenue – Big Yella, LLC – Request for a COA for an exterior addition and renovation (Exhibit 3-h)

**4. OLD BUSINESS**

- a) Close Public Hearing and Vote - Request for approval of minor subdivision of 2 lots at 144 Pittman Road, PID #60134108.000; applicants Mike and Julia Vickery (Exhibit 4-a)
- b) Close Public Hearing and Vote - Request rezoning to R-3 Medium Density Residential District from R-1 Low Density Residential District at the SW corner of Old CCC Camp Road and Reilly Road, PID #60123050.000 (Exhibit 4-b)
- c) Close Public Hearing and Vote - Request rezoning to CMX-2, Community Commercial /Mixed Use District from CMX-1 Neighborhood Commercial/Mixed Use District at 709 and 711 Church Street, PID #60119116.000 and PID #60119124.000 (Exhibit 4-c)
- d) Close Public Hearing and Vote - Request approval of Conditional Use Permit (CUP) for single family detached dwelling in the CMX-2 Community Commercial/Mixed Use District at 709 Church Street, PID #60119116.000 (Exhibit 4-d)

**5. NEW BUSINESS**

- a) Insurance Renewal Update – Scott Lemon

- b) Discussion to approve Fire Chief Derek McCoy as the Emergency Operations Center (EOC) Director as of April 21, 2020 (Exhibit 5-b)

**6. CONSENT AGENDA\*** *Consent Agenda – All matters listed under 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:**

- a) Authorize payment in the amount of \$1,500 from Ward 4 funds to Water's Edge HOA for sprinkler repair and landscaping within the City's right of way
- b) Adopt Resolution extending Proclamation of local emergency regarding the Novel Coronavirus Disease (COVIC-19) outbreak (Exhibit 6-b)

**City Clerk:**

- c) Approve Minutes: Special Call Meeting April 2, 2020 (Exhibit 6-c)

**Fire Department:**

- d) Accept monthly Fire Department Report for February 2020 (Exhibit 6-d)

**Human Resources/Risk Management**

- e) Accept Minutes: Human Resources Committee Meeting April 14, 2020 (Exhibit 6-e)
- f) Human Resources action items (Exhibit 6-f):
  - a. Authorize promotion of Records Clerk Danielle Hayes to Senior Records Clerk, Grade 6, Step 1, \$13.89 hourly rate and the transfer of Deputy Court Clerk II Amanda Escobar to Records Clerk, Grade 3, Step 7, \$13.51 hourly rate; both effective May 2, 2020; authorize to begin the process of filling the vacant Deputy Court Clerk position.
  - b. Authorize employment of Christopher Meadows, Police Officer, Step 4, \$16.83 hourly rate, effective on or about April 22, 2020, pending successful completion of all pre-employment requirements
  - c. Authorize employment of Samuel Borden, Part-Time Police Officer, \$13.00 hourly rate, effective on or about April 22, 2020, pending successful completion of all pre-employment requirements
  - d. Accept resignation of Police Officer Barbi Barnes, effective April 24, 2020; authorize to begin the process of filling the vacant position
  - e. Accept resignation of Part-Time Police Officer Sheenon Rhome, effective March 26, 2020; authorize to begin the process of filling the vacant position
  - f. Authorize removal of Street Laborer Richard Miller from probationary status to full time status effective April 8, 2020
  - g. Authorize removal of Street Laborer Kevin Ruebel from probationary status to full time status effective April 8, 2020
  - h. Authorize employment of Jesse Charboneau, Parks Maintenance Worker (Building), Grade 3, Step 1, \$12.00 hourly rate, effective April 22, 2020, pending successful completion of all pre-employment requirements
  - i. Authorize removal of Custodian Delante Weston from probationary status to full time status effective April 22, 2020

**Planning Commission:**

- g) Approve request for gravel driveway and parking area for 1 Mimosa Cove, PID 61267004.000; William Odom (Exhibit 6-g)

- h) Approve request for gravel parking lot for 1006 Clairborn Street PID 61300061.000; Douglas Roll (Exhibit 6-h)

**Zoning Adjustment Board:**

- i) Approve request of variance to allow parking spaces to be within the front yard and back into a street for 616 Porter Avenue; Joe Cloyd (Exhibit 6-i)

**Building Department:**

- j) Accept Building Department March 2020 Permit Report (Exhibit 6-j)
- k) Accept Tree Protection Committee meeting minutes from March 23, 2020 (Exhibit 6-k)
- l) Accept Tree Protection Committee meeting minutes from April 14, 2020 (Exhibit 6-l)

**7. DEPARTMENT REPORTS**

**Mayor:**

**City Clerk:**

- a) Approve payment: Docket of Claims, all expenditures are appropriate and authorized by law, and spread summary on the Minutes (Exhibit 7-a)
- b) Authorize budget amendment – Water Meter Replacement adjustment of \$40,000 for a total of \$60,188.80 for the purchase of 560 MTU's (Exhibit 7-b)

**Police Department:**

**Fire Department:**

**Human Resources/Risk Manager:**

- c) Family First Coronavirus Response Act Policy (Exhibit 7-c)

**City Engineer:**

**Public Works:**

- d) Approve MOU between Ocean Springs Carnival Association and the City of Ocean Springs (Exhibit 7-d)

**Community Development & Planning:**

**Planning Commission:**

**Building Department:**

- e) Appeal of TPC denial of tree removal at 400 Maginnis Ave. by David Tyndall; denied due to not being in the footprint of the site plan (Exhibit 7-e)

**Parks & Recreation:**

**City Attorney:**

- f) Discussion of abolishing municipal election commission pursuant to state statute

**8. ALDERMEN'S FORUM**

**9. EXECUTIVE SESSION**

- a) Review and discuss public sale offers received on property located at Lot 2261 Ocean Beach Estates Subdivision

**ADJOURN UNTIL 6:00 P.M. on May 5, 2020**