

## **REGULAR MEETING OF JULY 07, 2020**

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 July 7, 2020. The Mayor presiding, Aldermen Gill, Authement, Bellman, Cox, Papania, Blackman and Impey were present. Also present were City Attorney Nicole Sullivan, City Clerk Patty Gaston, Deputy City Clerk Vicky Hupe, Fire Chief Derek McCoy, Police Deputy Chief Derek Hoppner, Planning & Grants Administrator Carolyn Martin, Building Official Darrell Stringfellow, Public Works Director Allan Ladnier, Parks & Recreation Assistant Director Huffy Mayfield, Human Resources & Risk Management Director Mindy McDowell and Executive Assistant to the Mayor & Board Meggan Brown.

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 Gill, seconded by Alderman Blackman and unanimously carried to accept the agenda and addendum.

### **OLD BUSINESS**

Motion was made by Alderman Gill and seconded by Alderman Papania to adopt an Ordinance Granting a Non-Exclusive Electric Franchise to Mississippi Power Company, its Successors and Assigns, in the Municipality of Ocean Springs, Mississippi for a period of 25 years (Exhibit 3-a).

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 Blackman and seconded by Alderman Authement to adopt a resolution fixing the date of the special election for the Mississippi Power Company Franchise Agreement for August 4, 2020 (Exhibit 3-b).

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 Gill, seconded by Alderman Blackman and unanimously carried to authorize the Mayor to execute an agreement with Jackson County authorizing the Jackson County Election Commissioners to conduct all the duties of the Municipal Election Commissioners pursuant to Section 23-15-221 (Exhibit 3-c).

Motion was made by Alderman Gill, seconded by Alderman Authement and unanimously carried to renew the contract with the Jackson-George Regional Library System (Exhibit 3-d).

The Planning & Grants Administrator explained the 3517 Bienville Blvd. appeal regarding the installation of sidewalks was tabled at the June 16<sup>th</sup> BOA meeting. All parties have agreed to enhance the landscaping buffer in lieu of issuance of a bond; the Zoning & Adjustments Board recommended to grant the appeal. Motion was made by Alderman Blackman and seconded by Alderman Cox and unanimously carried to grant the appeal of the Planning Dept. decision regarding the installation of sidewalks for a commercial mini-storage warehouse development at 3517 Bienville Blvd PID# 6010127430.000 (Exhibit 3-e).

Motion was made by Alderman Gill, seconded by Alderman Papania and unanimously carried to accept the Grass Masters quote for Crepe Myrtle maintenance from July 2020 until February 2023 (Exhibit 3-f).

Motion was made by Alderman Cox and seconded by Alderman Blackman and unanimously carried to ratify the Mayor's decision to cancel July 4th celebration and downtown road closures due to the public health and safety concerns (Addendum item 1-a).

Motion was made by Alderman Authement, seconded by Alderman Gill and unanimously carried to advertise a Request for Proposal for a tennis instructor and amend the current contract for the tennis instructor (Addendum item 1-b).

Georgia Storey from Ocean Springs Chamber Leadership and Singing River Hospital addressed the Board regarding the recent COVID-19 spikes in Ocean Springs and presented the new campaign "Be Smart, Stay Apart". Dr. Bill Moore added another campaign "Mask Up Ocean Springs" and said the Ocean Springs Fire Department provided the Chamber 1,000 masks to give out to local businesses to provide resources to the community.

## **CONSENT AGENDA**

Motion was made by Alderman Gill, seconded by Alderman Authement and unanimously carried to approve the Consent Agenda except item 4-i, which was removed by the Mayor.

- a) Authorize the Mayor to execute the Complete Care Agreement with AGJ Systems & Networks (Exhibit 4-a)
- b) Ratify temporary dedication of land for public use for "Fayard property" July 3, 2020 (Exhibit 4-b)
- c) Approve Run/Walk permit application for 40th Annual Wesson Memorial 2 Mile Run; Monday, September 7, 2020 from 8:00 a.m. to 9:30 a.m. at YMCA 2 mile route; no cost to the City, applicant pays associated event (Exhibit 4-c)
- d) Adopt Resolution extending Proclamation of Local Emergency regarding the COVID-19 outbreak (Exhibit 4-d)
- e) Authorize to extend the resolution proclaiming the existence of a local emergency enacted March 11, 2019 for Front Beach Drive due to the incapacitation of street lights along Front Beach Drive; extend for 30 days (Exhibit 5-e)
- f) Adopt Resolution to open Uniform Assessment Schedule for motor vehicles and Authorize to schedule public hearing for July 21, 2020 at 6:00 p.m. to adopt Resolution and Order adopting the Uniform Assessment Schedule for motor vehicles (Exhibit 4-f)
- g) Ratify refund check for overbilling on water/sewer account due to meter programing error in the amount of \$2,553.19 (Exhibit 4-g)
- h) Ratify check to Jackson County Chancery Clerk for Land Records fee for Evergreen Cemetery Lot Deed in the amount of \$26.00 (Exhibit 4-h)
- i) Accept June 2020 Aged Receivable Report for Utility Billing (to be provided before meeting)
- j) Approve Minutes: Regular Meeting June 2, 2020 (Exhibit 4-j)
- k) Approve Minutes: Special Call Meeting June 10, 2020 (Exhibit 4-k)
- l) Approve Minutes: Recess Meeting June 16, 2020 (Exhibit 4-l)
- m) Approve Minutes: Special Call Meeting June 22, 2020 (Exhibit 4-m)
- n) Approve Minutes: Special Call Meeting June 23, 2020 (Exhibit 4-n)
- o) Accept Minutes: Finance Committee Meeting June 30, 2020 (Exhibit 4-o)
- p) Accept monthly OSPD Report for June 2020 (Exhibit 4-p)
- q) Authorize transfer to Public Works: Hot Pressure Washer #3689; Float Pump #1446; Warrior Utility Trailer #N/A; Troy-Bilt Pressure Washer #6090; and Weed Eater Mower #3635 Authorize to declare as surplus, no value to the City: AMK Spreaders #1437; AMK Cutters #1438; Whirlpool Washer #3698; Whirlpool Dryer #3699 and Louisville Step Ladder #N/A (Exhibit 4-q)
- r) Accept Minutes: Human Resources Committee Meeting June 15, 2020 (Exhibit 4-r)
- s) Human Resources Action Items (Exhibit 6-s):
  - a) Accept termination of Probationary Firefighter #2441, effective June 26, 2020; authorize to begin the process of filling the vacant position
  - b) Authorize employment of Takaaki Hachiya, Probationary Firefighter, \$11.19 hourly rate, effective July 11, 2020, pending successful completion of all pre-employment requirements
  - c) Authorize employment of Yucimid Machado, Code Enforcement Officer, Grade 7, Step 1, \$14.59 hourly rate, effective August 3, 2020, pending successful completion of all pre-employment requirements

- t) Authorize to declare surplus and no value to the City: Sharp MX-M550N Serial #75002559 Asset #4463 and Sharp AR\_M355U Serial #653064 Asset #4516 (Exhibit 4-t)
- u) Accept Code Enforcement Report through July 2, 2020 (Exhibit 4-u)
- v) Approve Tree Protection Department recommendations – Tree Application through July 2, 2020 (Exhibit 4-v)

The Deputy City Clerk requested the Mayor pull item 4-i June 2020 Aged Receivable Report for Utility Billing because the report could not be provided.

## **DEPARTMENT REPORTS**

### City Clerk:

Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to approve the docket of claims; the Board finds that all expenditures are appropriate and authorized by law (Exhibit 5-a).

Motion was made by Alderman Blackman, seconded by Alderman Papania and unanimously carried to approve the monthly budget report (Exhibit 5-b).

The Deputy City Clerk requested the Board allow an addition to upcoming agendas, "Agenda Public Comment"; the board agreed to the addition, no vote taken (Exhibit 5-c).

Motion was made by Alderman Gill, seconded by Alderman Papania and unanimously carried to authorize the City Attorney to amend the Ordinance for City polling places.

The City Clerk presented budget amendments and recognized any income that will not be spent or received for the current budget. Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to approve the budget amendments (Exhibit A-3a).

### Community Development & Planning:

The Planning & Grants Administrator said she along with the Building Official and Public Works are working to develop and refine an internal checklist to improve communication between departments for application forms (Exhibit 5-f).

The Planning & Grants Administrator said The Inlet has requested a Tax Exemption Order, post construction but has not completed construction of all buildings (Exhibit 5-e). Tracy Ross, The Inlet representative, said that four of the buildings are complete. She said that one of the units in the last building is one week from completion and that there are no plans for the last unit in the building to build out at this time. She said they do not want to complete until there are occupants to build to suit. Alderman Authement requested the discussion continue in Executive Session; action was tabled for City Attorney to research.

Building:

Motion was made by Alderman Blackman, seconded by Alderman Gill and unanimously carried to authorize a permit fee refund in the amount of \$3,893 for 10700 Eagles Nest Road (Exhibit 5-g).

City Attorney:

The City Attorney explained that Lighthouse Academy has requested to add signage to the side of the brick building and a free standing sign (Exhibit 5-h). Motion was made by Alderman Impey, seconded by Alderman Bellman and unanimously carried to allow Lighthouse Academy to install signage.

Public Works:

Motion was made by Alderman Gill, seconded by Alderman Papania and unanimously carried to approve payment application No. 5 – final payment in the amount of \$8,268.22 to Suncoast Infrastructure, Inc. for Cured In Place Pipe (CIPP) Lining Sewer Rehabilitation 2018, as recommended by Overstreet and Associates (Exhibit A-3b).

## **PUBLIC COMMENT**

Dr. Bill Moore requested that all do their part to flatten the curve so that schools can reopen. He reiterated to mask up and stay apart.

Greg Gipson said he is overwhelmed and happy that the MS state flag is down. He encouraged the Aldermen to do what is right and have open conversation on racial dialog.

## **ALDERMAN'S FORUM**

Alderman Authement said there is a tree that needs to be removed at 525 Jackson Avenue, the majority of the tree is on City property. Motion was made by Alderman Authement, seconded by Alderman Blackman and unanimously carried to allow the Building Official to move forward on the removal of tree. Alderman Impey requested that the wood from the removed tree be saved for community artists, all other Aldermen agreed.

Alderman Blackman asked the Planning & Grants Administrator for an update on the Government Street Sidewalk Project. She responded that the final version of the Supplemental Agreement #2 has been submitted to MDOT for approval. Alderman Blackman thanked Public Works for their work in Herron Bayou.

Alderman Impey asked the Planning & Grants Administrator for an update on the KCDBG Drainage projects. She replied we are currently in the permitting phase for the Parktown project.

## EXECUTIVE SESSION

Motion was made by Alderman Gill, seconded by Alderman Blackman 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 Gill, seconded by Alderman Cox and unanimously carried to remain in executive session to discuss litigation update in The Sands v. The City of Ocean Springs, litigation update in Illanne, et al v. The City of Ocean Springs, potential litigation regarding the Mary C. O'Keefe Cultural Center, potential litigation regarding The Inlet, potential litigation regarding Civic Center rentals and personnel in the Parks Department.

Motion was made by Alderman Blackman, seconded by Alderman Bellman and unanimously carried to come out of executive session where the following actions were taken:

- a) Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to permit Ocean Springs Carnival Association to enter into a rental agreement for the Civic Center use from January 28-29, 2021 with the understanding that the City janitorial personnel will clean the facility following the event and OSCA will pay up to \$300 in cleaning fees.
- b) Alderman Authement recused himself from the discussion and vote concerning the Mary C. Motion was made by Alderman Gill, seconded by Alderman Papania and unanimously carried to give 90 day notice of termination of the Management Agreement with Friends of the Mary C. pursuant to Section 2.4 of the Management Agreement.
- c) Alderman Authement recused himself from the discussion and vote concerning the Mary C. Motion was made by Alderman Gill, seconded by Alderman Bellman and unanimously carried to begin the process of implementing the City's Parks and Recreation Department as the management and coordination team for the Mary C. O'Keefe Cultural Center.
- d) Motion was made by Alderman Gill, seconded by Alderman Papania and unanimously carried to suspend employee #2063 for 2 days without pay.

Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to recess the meeting until 6:00 p.m. on July 21, 2020.

Meeting ended at 8:20 p.m.

Bethany Mooto 8/5/2020  
City Clerk Date

Shyla Johnson 8/10/2020  
Mayor Date

**ADDENDUM TO REGULAR MEETING AGENDA**  
**MAYOR AND BOARD OF ALDERMEN • CITY OF OCEAN SPRINGS**  
**JULY 7, 2020 – 6:00 p.m. at City Hall**

**1) OLD BUSINESS**

- a.) Ratify Mayor's decision to cancel July 4th celebration and downtown road closures due to public health and safety concerns
- b.) Discussion of advertising RFP for Tennis Instructor and potential contract amendments for Tennis Instructor

**2) CONSENT AGENDA**

Mayor:

- a.) Approve Blood Drive for The Blood Center, supplier for Singing River Health System; Wednesday, July 14, 2020 from 9:00 am to 4:00 pm; at Ocean Springs Civic Center; No cost incurred by the City (Exhibit A-2a)

**3) DEPARTMENT REPORTS**

City Clerk:

- a.) Approve Budget Amendments (Exhibit A-3a)

Public Works:

- b.) Approve payment application No. 5 – final payment in the amount of \$8,268.22 to Suncoast Infrastructure, Inc. for Cured In Place Pipe (CIPP) Lining Sewer Rehabilitation 2018, as recommended by Overstreet and Associates (Exhibit A-3b)

**REGULAR MEETING AGENDA**  
**MAYOR AND BOARD OF ALDERMEN – CITY OF OCEAN SPRINGS**  
**July 7, 2020 – 6:00 p.m. City Hall**

**1. CALL TO ORDER**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

**3. OLD BUSINESS**

- a) Adopt proposed municipal franchise ordinance with Mississippi Power Company (Exhibit 3-a)
- b) Adopt resolution fixing the date of the special election on the Mississippi Power Company Franchise Agreement for August 4, 2020 (Exhibit 3-b)
- c) Authorize Mayor to execute agreement with Jackson County authorizing Jackson County Election Commissioners to conduct all the duties of the Municipal Election Commissioners pursuant to Section 23-15-221 (Exhibit 3-c)
- d) Discussion of Jackson-George Regional Library System contract renewal (Exhibit 3-d)
- e) Approve appeal of Planning Dept. decision regarding the installation of sidewalks for a commercial mini-storage warehouse development – 3517 Bienville Blvd PID# 6010127430.000 (Exhibit 3-e)
- f) Discussion of Grass Masters Quote for Crepe Myrtle maintenance from July 2020 until February 2023 (Exhibit 3-f)

**4. 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 the Mayor to execute the Complete Care Agreement with AGJ Systems & Networks (Exhibit 4-a)
- b) Ratify temporary dedication of land for public use for “Fayard property” July 3, 2020 (Exhibit 4-b)
- c) Approve Run/Walk permit application for 40<sup>th</sup> Annual Wesson Memorial 2 Mile Run; Monday, September 7, 2020 from 8:00 a.m. to 9:30 a.m. at YMCA 2 mile route; no cost to the City, applicant pays associated event (Exhibit 4-c)
- d) Adopt Resolution extending Proclamation of Local Emergency regarding the COVID-19 outbreak (Exhibit 4-d)

**City Clerk:**

- e) Authorize to extend the resolution proclaiming the existence of a local emergency enacted March 11, 2019 for Front Beach Drive due to the incapacitation of street lights along Front Beach Drive; extend for 30 days (Exhibit 5-e)

- f) Adopt Resolution to open Uniform Assessment Schedule for motor vehicles and Authorize to schedule public hearing for July 21, 2020 at 6:00 p.m. to adopt Resolution and Order adopting the Uniform Assessment Schedule for motor vehicles (Exhibit 4-f)
- g) Ratify refund check for overbilling on water/sewer account due to meter programing error in the amount of \$2,553.19 (Exhibit 4-g)
- h) Ratify check to Jackson County Chancery Clerk for Land Records fee for Evergreen Cemetery Lot Deed in the amount of \$26.00 (Exhibit 4-h)
- i) Accept June 2020 Aged Receivable Report for Utility Billing (to be provided before meeting)
- j) Approve Minutes: Regular Meeting June 2, 2020 (Exhibit 4-j)
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- m) Approve Minutes: Special Call Meeting June 22, 2020 (Exhibit 4-m)
- n) Approve Minutes: Special Call Meeting June 23, 2020 (Exhibit 4-n)
- o) Accept Minutes: Finance Committee Meeting June 30, 2020 (Exhibit 4-o)

**Police Department:**

- p) Accept monthly OSPD Report for June 2020 (Exhibit 4-p)

**Fire Department:**

- q) Authorize transfer to Public Works: Hot Pressure Washer #3689; Float Pump #1446; Warrior Utility Trailer #N/A; Troy-Bilt Pressure Washer #6090; and Weed Eater Mower #3635  
Authorize to declare as surplus, no value to the City: AMK Spreaders #1437; AMK Cutters #1438; Whirlpool Washer #3698; Whirlpool Dryer #3699 and Louisville Step Ladder #N/A (Exhibit 4-q)

**Human Resources:**

- r) Accept Minutes: Human Resources Committee Meeting June 15, 2020 (Exhibit 4-r)
- s) Human Resources Action Items (Exhibit 6-m):

Fire Department:

- a) Accept termination of Probationary Firefighter #2441, effective June 26, 2020; authorize to begin the process of filling the vacant position
- b) Authorize employment of Takaaki Hachiya, Probationary Firefighter, \$11.19 hourly rate, effective July 11, 2020, pending successful completion of all pre-employment requirements

Building:

- c) Authorize employment of Yucimid Machado, Code Enforcement Officer, Grade 7, Step 1, \$14.59 hourly rate, effective August 3, 2020, pending successful completion of all pre-employment requirements

**Public Works Department:**

- t) Authorize to declare surplus and no value to the City: Sharp MX-M550N Serial #75002559 Asset #4463 and Sharp AR\_M355U Serial #653064 Asset #4516 (Exhibit 4-t)

**Building Department:**

- u) Accept Code Enforcement Report through July 2, 2020 (Exhibit 4-u)
- v) Approve Tree Protection Department recommendations – Tree Application through July 2, 2020 (Exhibit 4-v)

## 5. 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 5-a)
- b) Accept Monthly Budget Report (Exhibit 5-b)
- c) Discussion of addition to future agendas (Exhibit 5-c)
- d) Discussion of changing polling place from Community Center to Senior Center

### **Police Department:**

### **Fire Department:**

### **Human Resources/Risk:**

### **City Engineer:**

### **Public Works:**

### **Community Development & Planning:**

- e) Discuss approval of Tax Exemption Order, Post Construction – The Inlet 2501 Bienville Boulevard (Exhibit 5-e)
- f) Internal Review Process Update

### **Building Department:**

- g) Review requested permit fee refund of \$3,893 for 10700 Eagles Nest Road (Exhibit 5-g)

### **Parks & Recreation:**

### **City Attorney:**

- h) Discussion of Lighthouse Academy signage per lease agreement (Exhibit 5-h)

## 6. 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.*

- Please identify yourself before speaking into the microphone.

## 7. ALDERMEN'S FORUM

## 8. EXECUTIVE SESSION

- a) Litigation update in The Sands v. The City of Ocean Springs
- b) Litigation update in Illanne, et al v. The City of Ocean Springs
- c) Personnel in the Parks Department

**RECESS UNTIL 6:00 P.M. on Tuesday, July 21, 2020**