

RECESS MEETING OF SEPTEMBER 14, 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 2:00 p.m. on September 14, 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 Chief Mark Dunston, Planning & Grants Administrator Carolyn Martin, Building Official Darrell Stringfellow, Public Works Director Allan Ladnier, Parks & Recreation Director Stephen Glorioso and Executive Assistant to the Mayor & Board Meggan Brown.

Let the minutes reflect proper notice was given pursuant to Miss. Code Ann. 21-9-39 of the Mississippi Code of 1972 as annotated and amended and the City of Ocean Springs Unified Development Code to reschedule the September Recess meeting from September 15th to September 14th due to Hurricane Sally.

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

PUBLIC HEARING

The Public Hearing for 306 Shearwater Drive was deferred to October 6, 2020 due to Hurricane Sally.

PRESENTATIONS

All presentations have been rescheduled to the October 6th Regular meeting due to time constraints related to Hurricane Sally.

AGENDA PUBLIC COMMENT

None.

OLD BUSINESS

The City Clerk said there were minor changes that equaled approximately \$20,000 in general fund to the budget since it was presented at the Public Hearing. She said the City is rolling

over approximately \$830,000 from cash ending into the new budget, there is no deficit and will be able to add \$100,000 to the reserve fund. Motion was made by Alderman Blackman and seconded by Alderman Gill to adopt the Fiscal Year 2020 – 2021 budget as presented (Exhibit A-3a).

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

The City Clerk explained there are needed general housekeeping budget amendments, including grants and a vehicle purchase for the Police Department. Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to adopt the budget amendments (Exhibit A-3b).

Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to approve and accept the Acceptance of Franchise executed by Mississippi Power Company (FF9) (Exhibit A-3c).

Motion was made by Alderman Cox and seconded by Alderman Blackman to approve an Order whereby Mississippi Power Company accepted the franchise granted to it by ordinance entitled "An ordinance granting a non-exclusive electric franchise to Mississippi Power Company, its successors, and assigns in the municipality of Ocean Springs, Mississippi" (FF10) (Exhibit A-3d).

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

NEW BUSINESS

Motion was made by Alderman Impey and seconded by Alderman Authement to adopt an Ordinance extending a tax exemption program for the Central Business District (Exhibit 6-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

Alderman Authement said the City is responsible for the removal of the structure on the Cove Avenue property pursuant to the settlement agreement with the Chaney's. He said the neighbors want it removed and requested a date of removal. The City Attorney responded that the right of reentry is through November 26, 2020. The Public Works Director said work will be started as soon as possible.

CONSENT AGENDA

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

A-4a) Ratify Mayor's Proclamation of local emergency regarding Tropical Storm Sally on September 12, 2020 (Exhibit A-4a)

- a) Authorize Mayor to execute Joe Gill Consulting, LLC contract renewal for lobbying services (Exhibit 7-a)
- b) Authorize refund to Jackson County Baptist Association for \$50.00 permit fee for a wheelchair ramp (Exhibit 7-b)
- c) Approve Temporary Dedication of Land for Public Use during Cruisin the Coast – 709 Church Street, 602 Washington Avenue and 1515 Government Street (Exhibit 7-c)
- d) Adopt Resolution to temporarily allow the consumption of beer and alcoholic beverages on public property for the duration of Cruisin' the Coast 2020 (Exhibit 7-d)
- e) Adopt Resolution to allow the sale of beer by the American Legion Post #42 for the duration of Cruisin' the Coast 2020 (Exhibit 7-e)
- f) Ratify check to ESP Insurance Brokerage LLC in the amount of \$487.90 for HCC Football program policy (Exhibit 7-f)
- g) Ratify check to EasyPermit Postage Pitney Bowes in the amount of \$2,020.99 for the refill of postage meter (Exhibit 7-g)
- h) Accept check #193223 from Jackson County Board of Supervisors for \$10,000.00 to purchase a pre-trained K-9 and a 2-3 week handler course for the patrolman assigned to the JC Interdiction team (Exhibit 7-h)
- i) Accept monthly OSPD Report for August 2020 (Exhibit 7-i)
- j) Accept monthly Fire Department Report for August 2020 (Exhibit 7-j)
- k) Authorize out of state travel to Lake Charles, LA for Deputy Fire Chief Ray West and Police Captain Shane Tiner along with approximately two other city employees (determined at a later time) to deliver donations received for Hurricane Laura – date of travel will be dependent on donations received (Exhibit 7-k)

- l) Accept Minutes: Human Resources Committee Meeting September 8, 2020 (Exhibit 7-l)
- m) Human Resources action items (Exhibit 7-m):
 - a. Authorize promotion of Patrolman Marshall Riff to the rank of Sergeant, Step 1, \$19.24 hourly rate, effective September 19, 2020, six month probation; authorize to begin the process of filling the vacant position
 - b. Authorize removal of Building Official Darrell Stringfellow from probationary status to full time status effective September 16, 2020
- n) Adopt Resolution to accept donated property for a portion of 2950 Bienville Blvd. PID 60128142.000 for right of way from Levins Enterprises, LLC (Exhibit 7-n)
- o) Adopt Resolution to accept donated property for a portion of 3070 Bienville Blvd. PID 60128780.025 for right of way from Singing River Federal Credit Union (Exhibit 7-o)
- p) Adopt Resolution to accept donated property for a portion abutting Steelman Lane. PID 60128700.000 for right of way from JRG Property Holdings, LLC (Exhibit 7-p)
- q) Approve request of appeal of UDC requirement for installation of sidewalks – 700 Bienville Blvd. PID 60119080.000 – PC recommend approval (Exhibit 7-q)
- r) Authorize to execute close out documents with Graham Construction, Inc. – Bills Avenue Water and Sewer Improvement Project (Exhibit 7-r)
- s) Accept Building Department July 2020 Permit Report (Exhibit 7-s)
- t) Approve Tree Department recommendations – Tree Applications through September 9, 2020 (Exhibit 7-t)
- u) Accept Code Enforcement Report through September 11, 2020 (Exhibit 7-u)

DEPARTMENT REPORTS

MAYOR:

The Mayor said he would like to close City offices September 14th at 3:00 pm, close all day September 15th, and reevaluate for closures on September 16th due to Hurricane Sally; the Board agreed.

The Fire Chief gave an update on Hurricane Sally. He said Sally is expected to be a category 2 storm at land fall somewhere between Bay St Louis and Biloxi on Wednesday morning at approximately 2:00 a.m. He said it is a slow moving storm which is making it harder to forecast and will be a 48 hour event with possible storm surge for Ocean Springs being 5 to 8 feet.

The Executive Assistant to the Mayor & Board said she received a quote from Jazzy Johnz for comfort stations with attendants for both Cruisin' the Coast and the Peter Anderson Festival for \$6,309.00. Motion was made by Alderman Cox, seconded by Alderman Authement and unanimously carried to authorize comfort stations and attendants from Jazzy Johnz for \$6,309.00 for Cruisin' the Coast and the Peter Anderson Festival.

Alderman Cox said that he and Alderman Authement would like to view the lights MS Power has put out at Front Beach before moving forward. He requested others to go look as well to have an informed opinion. He said there is currently a 110 light at pole 52 and a 50 light on pole 21 to preview. He said they will also be putting out a 90 light but will not get it in stock

for a few more weeks. He added that there is also a solar light at the harbor gravel parking lot. He expressed his opinion that the 110 light is too bright since it not only covers the road but also extends into yards.

CITY CLERK:

Motion was made by Alderman Impey, seconded by Alderman Papania and unanimously carried to approve the Docket of Claims; the Board finds that all expenses are lawful and appropriate (Exhibit 8-c).

BUILDING:

Alderman Papania said he and the Building Official went to 2514 Ridgewood Road to view a live oak tree which was denied removal and has been appealed (Exhibit 8-d). He said the tree is 20 feet from home, 12' diameter and no issues were noted. He said there were surface roots visible. His recommendation is to allow surface roots to be cut and to trim the tree. The Building Official said that was what they were initially approved to do. Motion was made by Alderman Papania, seconded by Alderman Blackman and unanimously carried to deny the appeal of the Tree Department denial to remove a live oak tree at 2514 Ridgewood Road.

GENERAL PUBLIC COMMENT

None.

ALDERMAN'S FORUM

Alderman Gill asked the Building Official about the status of an abandoned home at 104 Penny Circle. The Building Official said that the grass has been maintained. Alderman Gill said the neighbors are complaining that animals are coming from the home and requested the Building Official start the process of removing the home, in hopes that action will encourage homeowner to repair the home.

Alderman Authement said the City has a contract in place for debris monitoring on an as needed basis, he requested a time to assess the damage of Hurricane Sally to determine if services are needed. The Fire Chief said that as soon as it is safe to go out, his department will assess the damage to the City and pass along the information as soon as possible. The City Clerk said she would contact the debris monitoring company, to be on hold in case they are needed after Hurricane Sally.

Alderman Cox said Mallette Brothers Construction requested a signed agreement for will call service to clear roads after Hurricane Sally, so that service can be started immediately after the need is determined. The City Clerk said she has concerns with a company coming just before a storm with a contract and asked if the cost would be reimbursable by FEMA. Alderman Cox said this is the same agreement Mallette Brothers has with Lake Charles. Alderman Blackman asked the Public Works Director about the equipment the City has to remove debris

and clear roads. The Public Works Director said this contract would only be enacted in a worst case scenario as a last resort to get roads opened. Motion was made by Alderman Cox, seconded by Alderman Papania and unanimously carried to execute an agreement with Mallette Brothers Construction Co with the City Attorneys addition, "This agreement is activated by written notice of the Mayor or his designee, Allan Ladnier".

Alderman Impey gave kudos to the new Code Enforcement Officer, saying the Code Enforcement report is comprehensive. He thanked all City employees for all of the efforts during this hurricane season.

Alderman Blackman thanked the Police, Fire and Public Works Departments for their hard work during hurricanes.

EXECUTIVE SESSION

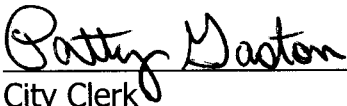
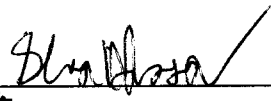
Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to go into closed session to determine the necessity of going into executive session.

The City Clerk returned to the meeting and announced that a motion was made by Alderman Gill, seconded by Alderman Papania and unanimously carried to remain in executive session to discuss potential litigation regarding the Mary C. O'Keefe Cultural Center and potential litigation regarding 1102 Iberville Drive.

Motion was made by Alderman Impey, seconded by Alderman Bellman and unanimously carried to come out of executive session where no action was taken.

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

Meeting ended at 3:15 p.m.

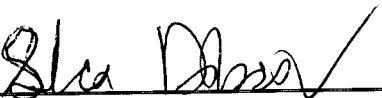
	<u>10/6/2020</u>		<u>10/6/2020</u>
City Clerk	Date	Mayor	Date

CITY OF OCEAN SPRINGS

Notice is hereby given that the Board of Aldermen of the City of Ocean Springs will meet at City Hall on Monday, September 14, 2020 at 2:00 pm for the purpose of rescheduling the recessed Board of Aldermen meeting of September 15, 2020 due to Tropical Storm Sally.

I, Shea Dobson, Mayor of the City of Ocean Springs, MS do hereby waive further notice of and consent to a special call meeting of the Board of Aldermen at 2:00 pm on September 14, 2020 in the City Hall of the City for the purpose hereinabove stated.

This notice is being given pursuant to Miss. Code Ann. 21-9-39 of the Mississippi Code of 1972 as annotated and amended and the City of Ocean Springs Unified Development Code. A copy of this notice and consent to a special meeting shall be sent by the City Clerk to local media and posted as required by law.



Shea Dobson, Mayor

ATTEST:


Patty Gaston, City Clerk

RECESS MEETING AGENDA
MAYOR AND BOARD OF ALDERMEN • CITY OF OCEAN SPRINGS
September 15, 2020 – 6:00 p.m. at City Hall

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. PUBLIC HEARING

- a) 306 Shearwater Drive.; Parcel Identification no. 60130610.025; Request Approval of Certificate of Appropriateness (COA) for new single-family dwelling with attached garage and golf cart garage; HPC recommends approval of COA (Exhibit 3-a)

4. PRESENTATIONS

- a) OSPREYS – Residential speed limits and pedestrian safety (Exhibit 4-a)
- b) The Friends of the Mary C – State of the Friends (Exhibit 4-b)
- c) Carl Kennedy – MS Attorney General Opinion – water and sewer lines (Exhibit 4-c)

5. AGENDA PUBLIC COMMENT *** The Public is invited to address the Board for up to 3 minutes each for a maximum period of 30 minutes, **ONLY regarding issues listed on this agenda.** The Board will take all comments under advisement for potential action if warranted. Please identify yourself and agenda item.*

6. NEW BUSINESS

- a) Adopt Ordinance extending a tax exemption program for the Central Business District (Exhibit 6-a)
- b) Discussion of demolition of Chaney property on Cove Avenue

7. 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 Mayor to execute Joe Gill Consulting, LLC contract renewal for lobbying services (Exhibit 7-a)
- b) Authorize refund to Jackson County Baptist Association for \$50.00 permit fee for a wheelchair ramp (Exhibit 7-b)
- c) Approve Temporary Dedication of Land for Public Use during Cruisin the Coast – 709 Church Street, 602 Washington Avenue and 1515 Government Street (Exhibit 7-c)
- d) Adopt Resolution to temporarily allow the consumption of beer and alcoholic beverages on public property for the duration of Cruisin' the Coast 2020 (Exhibit 7-d)
- e) Adopt Resolution to allow the sale of beer by the American Legion Post #42 for the duration of Cruisin' the Coast 2020 (Exhibit 7-e)

City Clerk:

- f) Ratify check to ESP Insurance Brokerage LLC in the amount of \$487.90 for HCC Football program policy (Exhibit 7-f)

- g) Ratify check to EasyPermit Postage Pitney Bowes in the amount of \$2,020.99 for the refill of postage meter (Exhibit 7-g)

Police Department:

- h) Accept check #193223 from Jackson County Board of Supervisors for \$10,000.00 to purchase a pre-trained K-9 and a 2-3 week handler course for patrolman assigned to the JC Interdiction team (Exhibit 7-h)
- i) Accept monthly OSPD Report for August 2020 (Exhibit 7-i)

Fire Department:

- j) Accept monthly Fire Department Report for August 2020 (Exhibit 7-j)
- k) Authorize out of state travel to Lake Charles, LA for Deputy Fire Chief Ray West and Police Captain Shane Tiner along with approximately two other city employees (determined at a later time) to deliver donations received for Hurricane Laura – date of travel will be dependent on donations received (Exhibit 7-k)

Human Resources/Risk Management

- l) Accept Minutes: Human Resources Committee Meeting September 8, 2020 (Exhibit 7-l)
- m) Human Resources action items (Exhibit 7-m):
 - a. Authorize promotion of Patrolman Marshall Riff to the rank of Sergeant, Step 1, \$19.24 hourly rate, effective September 19, 2020, six month probation; authorize to begin the process of filling the vacant position
 - b. Authorize removal of Building Official Darrell Stringfellow from probationary status to full time status effective September 16, 2020

Community Development & Planning:

- n) Adopt Resolution to accept donated property for a portion of 2950 Bienville Blvd. PID 60128142.000 for right of way from Levins Enterprises, LLC (Exhibit 7-n)
- o) Adopt Resolution to accept donated property for a portion of 3070 Bienville Blvd. PID 60128780.025 for right of way from Singing River Federal Credit Union (Exhibit 7-o)
- p) Adopt Resolution to accept donated property for a portion of abutting Steelman Lane. PID 60128700.000 for right of way from JRG Property Holdings, LLC (Exhibit 7-p)

Planning Commission:

- q) Approve request of appeal of UDC requirement for installation of sidewalks – 700 Bienville Blvd. PID 60119080.000 – PC recommend approval (Exhibit 7-q)

Grants Administration:

- r) Authorize to execute close out documents with Graham Construction, Inc. – Bills Avenue Water and Sewer Improvement Project (Exhibit 7-r)

Building Department:

- s) Accept Building Department July 2020 Permit Report (Exhibit 7-s)
- t) Approve Tree Department recommendations – Tree Applications through September 9, 2020 (Exhibit 7-t)
- u) Approve Code Enforcement Report through September 11, 2020 (Exhibit 7-u)

8. DEPARTMENT REPORTS

Mayor:

- a) Discussion of quote from Jazzy Johnz for Comfort Stations with attendants for Cruisin' the Coast October 6-11, 2020 and Peter Anderson Festival November 7-8, 2020 (Exhibit 8-a)
- b) Discussion of beach lights

City Clerk:

- c) Approve payment: Docket of Claims, all expenditures are appropriate and authorized by law, and spread summary on the Minutes (Exhibit 8-c)

Police Department:

Fire Department:

Human Resources/Risk Manager:

City Engineer:

Community Development & Planning:

Public Works:

Building Department:

- d) Appeal of Tree Department denial to remove tree at 2514 Ridgewood Road (Exhibit 8-d)

Parks & Recreation:

City Attorney:

- 9. GENERAL PUBLIC COMMENT** ** *The public is invited to address the Board regarding issues NOT listed on this agenda, 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.*

10. ALDERMEN'S FORUM

11. EXECUTIVE SESSION

- a) Discuss potential litigation regarding the Friends of the Mary C.

ADJOURN UNTIL 6:00 P.M. on Tuesday, October 6, 2020

ADDENDUM TO RECESS MEETING AGENDA
MAYOR AND BOARD OF ALDERMEN • CITY OF OCEAN SPRINGS
September 14, 2020 – 2:00 p.m. at City Hall

1. PUBLIC HEARING – DEFERRED to October 6, 2020 due to Hurricane Sally

- a) 306 Shearwater Drive.; Parcel Identification no. 60130610.025; Request Approval of Certificate of Appropriateness (COA) for new single-family dwelling with attached garage and golf cart garage; HPC recommends approval of COA

2) PRESENTATIONS

- a) Remove Presentations from agenda, all have been rescheduled to the October Regular Meeting October 6, 2020, due to time constraints related to Hurricane Sally

3) OLD BUSINESS

- a) Adopt Fiscal Year 2020 – 2021 Budget (Exhibit A-3a)
- b) Adopt Budget Amendments (Exhibit A-3b)
- c) Approve and accept Acceptance of Franchise executed by Mississippi Power Company (FF9) (Exhibit A-3c)
- d) Approve Order whereby Mississippi Power Company accepted the franchise granted to it by ordinance entitled “An ordinance granting a non-exclusive electric franchise to Mississippi Power Company, its successors, and assigns in the municipality of Ocean Springs, Mississippi.” (FF10) (Exhibit A-3d)

4) CONSENT AGENDA

Mayor:

- a) Ratify Mayor’s Proclamation of local emergency regarding Tropical Storm Sally on September 12, 2020 (Exhibit A-4a)

5) DEPARTMENT REPORTS

Mayor:

- a) Discussion of City closures related to Hurricane Sally

Fire:

- b) EOC Hurricane Sally Update