

RECESS MEETING OF MAY 21, 2019

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 May 21, 2019. Mayor Pro-tempore Papania presiding, Aldermen Cox, Authement, Blackman, and Impey were present. Absent from the meeting were the Mayor, Aldermen Gill and Bellman. Also present were City Clerk Patty Gaston and City Attorney Kevin Melchi.

The Mayor Pro-tempore called the meeting to order.

Alderman Impey gave the invocation and led the Pledge of Allegiance.

OLD BUSINESS

The City Attorney discussed the need for a public hearing to make a change regarding the Planning Commission per the UDC. Motion was made by Alderman Cox, seconded by Alderman Authement and unanimously carried to approve a public hearing at the Recess Meeting in June on the proposed Ordinance regarding the Planning Commission.

The City Attorney discussed the need for a public hearing to make a change regarding the Tree Protection Committee per the UDC. He advised the board to review the proposed drafts to determine if any changes need to be made to draft before sending to the public hearing. The board decided to table until they have had time to review the draft.

Motion was made by Alderman Cox, seconded by Alderman Impey and unanimously carried to table the discussion of an amendment to the Code of Ordinances to regulate mobile food vendors (Exhibit 3-c). Mayor Pro-tempore gave the public the opportunity to comment on mobile food vendors. The board requested the City Attorney to meet with the Special Events Coordinator and the Chamber of Commerce to discuss festivals.

The Code Enforcement Officer gave an update on 418 Martin Avenue. He said it has been six weeks since the last discussion of this property and he sent a certified letter for homeowner to be in attendance tonight. The owner, Andrew Zalinski, spoke and said he has been trying to get bids from demolition companies. The Planning & Grants Administrator said she has been trying to reach and get a response from Archives and History regarding 418 Martin Avenue but has had no response yet. The homeowner said he would rather have it demolished on his own.

The Code Enforcement Officer also discussed 176 Linda Circle and said although the homeowner was given two weeks to complete the work on his home, it is not complete. There has been some repairs and cleaning but it is not complete.

Scott Lemon with Lemon Mohler Insurance Agency presented the city's insurance renewal options regarding all the buildings, Parks liability, auto policy, and cyber liability insurance. The process began in March with several meetings to get the best options for the city. The property insurance is up 7.5% from last year, both the Parks and Cyber policies are up a little due to the common

effective date being changed to May 31st, the auto policy is down a little since older vehicles have been taken off policy. He said deductible options were reviewed but it was decided the savings didn't out way the possible risk. Motion was made by Alderman Cox, seconded by Alderman Impey and unanimously carried to renew the city property insurance policies as presented by Lemon Mohler Insurance Agency.

NEW BUSINESS

John Lockard with Lockard and Williams Insurance Services presented a city health plan and wellness review. He explained that 68% of the city's health insurance claims are from 10 covered individuals which is an extremely high and costly figure but not all ten will be covered next year and he will communicate that information to Blue Cross Blue Shield. He said that the majority of all claims are from bad habits and preventable in the long term. Last year the city gave a discount with a yearly physical and being tobacco free. He said that Singing River Hospital System has a successful wellness plan that they are willing to co-sponsor and help the city implement for employees. The board asked John Lockard to pursue the wellness program.

Eric Holley from Veteran Tributes requested the use of the Ocean Springs Sports Complex fields and concessions free of charge to raise funds for the family of fallen Biloxi Police Officer Robert McKeithen on June 8th and June 9th with a benefit softball tournament (Exhibit 4-b). The City Attorney said there are concessions contracts in place and they will need to get permission. Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to approve the use of the Ocean Springs Sports Complex fields and the concessions stands, contingent on the City Attorney verifying contracts, free of charge to the Veteran Tributes which is a qualified 501C3 registered to do business in the state of Mississippi.

Dustin Polovich from the Adult Softball League of Ocean Springs said they have recently had difficulty to get the fields scheduled plus he says there are now more fees than years past. He asked if there was any assistance that could be provided to them in getting the Sports Complex fields. He said the Parks & Recreation Department has been unresponsive when he was trying to schedule the fields. Alderman Blackman asked him to leave his information with the Deputy City Clerk and that the Mayor and Parks & Recreation Director would reach out to him this week with a solution.

CONSENT AGENDA

Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to approve the Consent Agenda with the exception of items 5 – e, v, and dd.

Motion was made by Alderman Blackman, seconded by Alderman Authement and unanimously carried to edit the times on item 5-e to start the road closure at 7:00 a.m. instead of 10:00 a.m. listed on the agenda.

The Planning and Grants Administrator said the wrong MOU is in the agenda and the corrected MOU has been given to the Deputy City Clerk for correction in the minutes (Exhibit 5-v). Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to accept

the amended MOU and adopt the Resolution for Ocean Springs Water and Sewer Systems Improvements Fund.

Motion was made by Alderman Authement, seconded by Alderman Blackman and unanimously carried to table item 5-dd until the next meeting.

DEPARTMENT REPORTS

CITY CLERK:

The City Clerk said that there needs to be an addition of \$2,662.65 to Waste Pro that was not included in the Docket of Claims. Alderman Blackman asked what the charges are for, he was able to determine the charges are a combination of roll off, disposal, and sludge charges. Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to add the additional payment to Waste Pro in the amount of \$2,662.65 to the Docket of Claims.

The City Clerk said there is another addition that was not included in the Docket of Claims, Crocker Heating and Air in the amount of \$16,730.00 for repairs made to the Library's air conditioning. Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried approve payment to Crocker Heating and Air in the amount of \$16,730.00.

Motion was made by Alderman Cox, seconded by Alderman Impey and unanimously carried to approve the Docket of Claims (Exhibit 6-a).

PLANNING COMMISSION:

The Planning & Grants Administrator explained this is the property at the corner of Groveland Road and Deana Drive that has been before the board previously. The property was zoned I-1 but in 2007 it was conditionally rezoned to R-4, with the condition that if it was not developed in two years it would revert back to I-1 but had to have city action to revert. The city action never took place. The Planning Commission recommended that the property be reverted back to I-1 but the board overturned that decision and sent back to Planning Commission. The property owner submitted an application for dual rezoning of the property, with the perimeters on the North and West being single family and the interior being R-4 which is now referred to as RM-2 under the UDC. The Planning Commission made an alternate proposal to rezone to R-D (Previous R-3) which matches the surrounding residential. Danny Watts spoke representing the property owner and said they do not want property to be industrial as it would not benefit the neighbors or property owner. Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to draft an ordinance to repeal Ordinance 1 – 2007 to revert the property back to I-1 as described in the original ordinance.

PUBLIC COMMENT

Carol C. Jones, 4077 Groveland Road, said that she received the notice for the public hearing but many residents in her neighborhood did not and she would like for the number of notices to be

increased. The residents feel as if they are left out of the process and would like to be included and to ensure the process is followed.

Katie Yow, 1219 Parktown Drive, said that her street is caving in and losing her yard in heavy rains and is very concerned especially since hurricane season is beginning. Alderman Impey asked the Public Works Director to go out and investigate the street caving on Parktown Drive.

Lorin McCormick, 4019 Meadow Oak Lane, said that she is against putting apartments at the Deana and Groveland location. Plus the road currently floods during heavy rains and feels the apartments would only make the situation worse.

Newman Smith, 434 Whispering Pines Drive, said he has concerns with trees that his neighbor has planted near property lines and the street. He would like the board to approve his neighbor to remove the trees. The board said approval was given by the Tree Committee and approved tonight on the consent agenda.

Paul Gergen, 151 Clear Springs Circle, said he attended the Planning Commission meeting and said that if RM-2 is approved, up to 199 apartments could be placed in the Deana Road location. He spoke against apartments at that location and retrofit engineering.

Ya Ya Mohamed, said that he had to go to court to get the water turned on at a property he owns on Hanley Road. There was confusion as to whether there was ever a water meter at the property as there is not one currently. He said he has had a fence on the property for 18-20 years and recently received a notice that he did not have a building permit for the fence and was fined. Unfortunately the Board of Aldermen cannot do anything to help the situation as it is the courts hands now.

Pam Dalton, 4084 Groveland Road, said there is a drainage ditch that overflows in heavy rains into her yard making it impossible to leave her house. She feels that if the apartments are built there, the flooding of her yard will be more severe. Alderman Impey said that the drainage ditch is on the list for improvement under the Katrina Grant.

ALDERMEN'S FORUM

Alderman Authement asked the Public Works Director to take a look at Front Beach Road near The Sands, as he received a call today saying that the road is failing.

Alderman Papania asked the Public Works Director to repaint the cross walk in front of the YMCA on Government Street and possibly add reflectors.

Alderman Cox said that the Special Events Coordinator requested that half of the Fallo-Pleasant Parking lot be reserved for Jeepin' the Coast on May 30th. Motion was made by Alderman Cox, seconded by Alderman Authement and unanimously carried to reserve half of the Fallo-Pleasant Municipal Parking for Jeepin' the Coast on May 30, 2019.

Alderman Cox also said that he received a call about a pier and bulkhead being rebuilt in Cedar Point and they were told they needed Board of Alderman approval but it was not on the agenda. The Deputy Building Official said he was not aware the property owners had received the permits from DMR but will look into it.

Alderman Blackman announced that Comeback Coolers is having a kickoff fundraiser June 1, 2019 at 6:00 p.m. at the Ocean Springs Yacht Club for \$50.00 per ticket. He asked the City Planning & Grants Administrator about the Government Street sidewalk project and she responded that she would like to meet with Alderman Blackman and the City Attorney tomorrow to get a final plan together. He said that Chief Dunston handed him another Police Officer resignation and feels this turnover has to stop. Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to accept the resignation of Patrolman Nick Sweeney effective May 31, 2019 and approve to start the process to fill the vacant position.

Alderman Blackman asked the City Clerk about the proposed step scale raise and if the budgets can be worked to sustain the proposal. She responded that the turnover rates are very costly and a reduction in turnover would help offset the cost to retain employees. Even with the increases in both Blue Cross Blue Shield and PERS the total increase to the payroll budget would be approximately 2.49 % over last year or \$266,000.00. Alderman Cox asked if the adjustments requested had been made. The Human Resources Director replied it would increase the figures by approximately \$10,000.00. She also said that half of the cities along the coast have kept both Police and Fire entry level pay equal. Mayor Pro-tempore Papania said he supports the idea of a pay scale but is concerned about being able to afford the increase year after year. Fire Chief Ponson submitted his intent to retire effective June 28, 2019. Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to implement a step raise scale system pay scale by October 2019 and work out any remaining details and logistics by the June recess meeting.

Pamela Cox asked to speak and said she volunteers at City Hall and said the board needs to realize and respect the good job employees are doing with the amount of work they are carrying.

Alderman Impey said the sales tax revenue figures have increased \$190,136.86 and the 2% Food & Beverage tax has increased \$62,228.05 from the same period last year. Business is good and is hopeful that the trend will continue as long as the economy holds. He also said that he received a request from Police Chief Dunston to authorize out of state travel to attend a graduation and that the expenses are budgeted. Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to authorize out of state travel on May 30 – 31, 2019 for employees #1071, #1134 and #1468 to attend the graduation of employee #840 from the School of Police Staff and Command at Northwestern University in Nashville, TN.

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 a motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to remain in executive session to discuss potential litigation for 209 Front Beach, potential litigation for the Government Street sidewalk railing, and personnel in the Public Works Department.

Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to accept the recommendation of the Public Works Director to suspend of Employee #2133 for five days without pay.

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

Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to adjourn the meeting until 6:00 p.m. on June 4, 2019.

Meeting ended at 8:20 p.m.

Beth Maston
City Clerk
6/18/19
Date

John Black
Mayor
6/18/19
Date

RECESS MEETING AGENDA
MAYOR AND BOARD OF ALDERMEN • CITY OF OCEAN SPRINGS
May 21, 2019 – 6:00 p.m. at City Hall

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. OLD BUSINESS

- a) Approval of Public Hearing on proposed Ordinance regarding Planning Commission
- b) Approval of Public Hearing regarding changes to Tree Protection sections of UDC
- c) Discussions of An Amendment to the Code of Ordinances for the City of Ocean Springs, MS to Regulate Mobile Food Vendors (Exhibit 3-c)
- d) Update from Building Department on previous property discussion – 418 Martin Avenue
- e) Insurance Renewal Options – Scott Lemon

4. NEW BUSINESS

- a) Health Plan review and Wellness discussion – John Lockard
- b) Eric A. Holley from Veteran Tributes speaking on a benefit Softball Tournament June 8th and 9th to raise funds for the family of Biloxi Police Officer Robert McKeithen (Exhibit 4-b)

5. CONSENT AGENDA*

** Consent Agenda – All matters listed under Item 5, 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) Adopt Resolution Establishing New Public Record Request Policy (Exhibit 5-a)
- b) Approve to Waive the \$250.00 Rental Fee of Fort Maurepas due to Inclement Weather on Saturday May 11, 2019 and refund the full amount to OSMS Band Boosters (Exhibit 5-b)
- c) Approve to Allot Donated Funds from Nora Reynolds in the amount of \$50.00 to the Ryan Youth Center in Memory of Glen Ryan (Exhibit 5-c)
- d) Approve Agreement with Jackson County to provide Public Defender (Exhibit 5-d)
- e) Approve Special Event Permit Application for the Annual Red, White & Blueberry Festival; Scheduled for Saturday, June 1, 2019 from 10:00 a.m. until 2:00 p.m.; at L&N Depot Plaza; Requires Road Closure from Cash Alley to Washington Avenue on Robinson Street; May require overtime cost for the Police Department (Exhibit 5-e)

City Clerk:

- f) Approve Minutes: Special Call Meeting May 7, 2019 (Exhibit 5-f)
- g) Ratify Check to Global Wildlife Center for Summer Camp Fieldtrip Deposit (Exhibit 5-g)
- h) Approve Transfer of Equipment Asset #4436 Sharp MXM550N Copier from City Hall to Public Works (Exhibit 5-h)
- i) Ratify the FY 2017/2018 Municipal Compliance Questionnaire (Exhibit 5-i)
- j) Authorize to hire six 32 hour per week employees for 10 weeks to address city landscaping needs divided between Public Works (4) and Parks (2) Departments (Exhibit 5-j)

Police Department:

Fire Department:

- k) Accept Monthly Fire Department Report (Exhibit 5-k)

Human Resources/Risk Management: (Exhibit 5 - l, m, n, o, p, q, r, s, t)

- l) Authorize employment of Ethan Saylor, Parker Bourque, and Marshall Riff as Patrolmen, effective May 27, 2019; \$13.25 hourly rate; pending successful completion of all pre-employment requirements
- m) Authorize removal of Firefighter Caleb Causey from probationary status to full time status effective immediately
- n) Authorize employment of Erik Baker, Firefighter, effective June 3, 2019; \$11.95 hourly rate; pending successful completion of all pre-employment requirements
- o) Authorize employment of Anthony Reynolds, Firefighter, effective May 22, 2019; \$10.43 hourly rate; pending successful completion of all pre-employment requirements
- p) Accept resignation of Maintenance Assistant Supervisor Kyle Higginbotham, effective May 15, 2019; authorize to begin the process of filling the vacant position
- q) Authorize removal of Turf and Ballfield Maintenance DeMaurio Preyear from probationary status to full time status effective May 16, 2019
- r) Authorize removal of Custodian Amy Burney from probationary status to full time status effective May 16, 2019
- s) Authorize employment of Alton Jacob, Parks Maintenance, effective May 22, 2019; \$13.00 hourly rate; pending successful completion of all pre-employment requirements
- t) Authorize employment of Eric Plump, Custodian, effective May 22, 2019; \$11.00 hourly rate; pending successful completion of all pre-employment requirements

City Engineer:

Public Works:

Community Development & Planning:

- u) Authorization to Advertise for Construction – Tidelands Project – FY 18-P501-05OS – OS Front Beach Living Shoreline (Exhibit 5-u)
- v) Authorize to Adopt Resolution and Execute a Memorandum of Understanding (MOU) – 2019 City of Ocean Springs Water and Sewer Systems Improvements Fund \$400,000.00 (Exhibit 5-v)

Planning Commission:

- w) Approve Minor Subdivision – 709 Church Street, Rosetti Park; Parcel ID: 60119116.000 (Exhibit 5-w)
- x) Approve Lot Split – 204 Perryman Road; Parcel ID: 60127030.010 (Exhibit 5-x)
- y) Approve Lot Reconfiguration – 715 Pine Drive; Parcel ID: 60195109.000 (Exhibit 5-y)
- z) Approve the Use of Crushed Limestone or similar material instead of asphalt or concrete in a Commercial Development – 2123 Government Street – PID: 60120080.000 (Exhibit 5-z)
- aa) Approve Application for Bed & Breakfast (B&B) Permit – Harriet and Alexander Perry – 1108 Calhoun Street/PID: 60137348.000 (Exhibit 5-aa)

Zoning & Adjustment Board:

- bb) Approve Variance to allow a portion of the building to encroach into the minimum front yard setback area – 118 Pine Street; Parcel ID: 61395007.000 (Exhibit 5-bb)
- cc) Approve Variance to allow proposed single-family dwellings to exceed the maximum height limit of the CMX-1 District by 25 Percent – 709 Church Street; Rosetti Park; Parcel ID: 60119116.000 (Exhibit 5-cc)

Historic Preservation Commission:

- dd) Approve Certificate of Appropriateness for Construction of Dwelling – 1111 Iberville Drive; Parcel ID: 60119162.000 (Exhibit 5-dd)

Building Department:

- ee) Approve Tree Protection Committee meeting minutes from May 14 and May 15, 2019 (Exhibit 5-ee)
- ff) Approve Code Enforcement Report through May 17, 2019 (Exhibit 5-ff)
- gg) Approve Demolition of Structure located at 439 Bills Avenue (Exhibit 5-gg)
- hh) Approve Demolition of Structure located at 441 Bills Avenue (Exhibit 5-hh)

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:

Planning Commission:

- b) Approve to Repeal Ordinance 1-2007 (Exhibit 6-b/c)
- c) Approve Rezoning of Parcel ID: 60126140.000 – Southeast Corner of Deana Rd. and Groveland Rd. – from R-4 with special conditions to R-D Two Family Residential (Exhibit 6-b/c)

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.*

- Please identify yourself before speaking into the microphone.

8. ALDERMEN'S FORUM

9. EXECUTIVE SESSION

- a) Personnel in Public Works
- b) Discussion of potential litigation on 209 Front Beach

ADJOURN UNTIL 6:00 P.M. on June 4, 2019