

## **REGULAR MEETING OF OCTOBER 1, 2019**

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 October 1, 2019. The Mayor presiding, Aldermen Gill, Authement, Bellman, Cox, Papania, Blackman and Impey were present. Also present were City Clerk Patty Gaston and City Attorney Kevin Melchi.

The Mayor called the meeting to order.

Chic Cody gave the invocation and the Mayor led the Pledge of Allegiance.

### **PROCLAMATION**

The Mayor presented a proclamation titled "Embrace the Gulf" to Beck Ginn, Melissa Pringle, Lee Yokel and Laura Bowie from the Gulf of Mexico Alliance (Exhibit 3-a). They thanked the Mayor and the Board for being the first city within the southern five Gulf States to issue a proclamation and said that they have 25 more cities to visit for a proclamation.

The Mayor presented a proclamation declaring October 2019 "Domestic Violence Awareness Month" to Rene Davis, Melissa Galatas and Amanda Conde with Gulf Coast Center for Nonviolence (Exhibit 3-b). They thanked the Board for the acknowledgement and continued partnership with the City of Ocean Springs and the Police Department. They said they are sending two Ocean Springs Police Officers to New Orleans for strangulation investigation training. They said they offer emergency shelter, a crisis hotline, counseling services, housing services and legal services in Jackson County.

The Mayor presented a proclamation declaring October 6 – 12, 2019 as "Fire Prevention Week – Not Every Hero Wears a Cape" to Interim Fire Chief Nate Wilson (Exhibit 3-c). He reminded everyone to check your smoke detectors and change the batteries every 6 months.

### **NEW BUSINESS**

Damon Torricelli with Neel-Schafer, Inc. gave their annual update and discussed the City's Stormwater Plan. He said MS-4 permits are issued every five years and Ocean Springs' last one was issued in 2016. To date Ocean Springs has not received any word from MDEQ since they have had some turn over and have not reviewed the southern part of Mississippi. He said the key components of the plan are public education, public participation and involvement, construction site runoff control, spill prevention and good housekeeping. He said the City is doing a good job with all of the key components. He highlighted some needed items including a small construction site permit (1-5 acres) and a large construction site permit (5+acres) which both need to be filled out by developers, approved and posted on site; the large construction site permit also needs to be submitted to MDEQ. He stressed the importance of record keeping is and the requirement of the annual report and said the Ocean Springs Building

Department is doing a great job on both of these. Alderman Blackman asked about a written report with any deficiencies or items to improve. Damon responded that they do an inspection every six months and have only found very minor instances that were corrected at the time of inspection. He said that the Public Works and Building Departments are doing a great job.

The Planning & Grants Administrator spoke about an upcoming Continuity Plan Workshop scheduled for October 15, 2019 (Exhibit 4-b). She explained this will provide an "emergency bag" for businesses in case of disaster. The participants will receive a drive with fillable pdf information to customize for their own needs. She said the City has also worked on the City Continuity Plan to set up policies and procedures to help get back to business as soon as possible after a disaster. This workshop is being offered to businesses to assist them setting up a plan to get going as soon as possible after a disaster because if they are closed more than three months, the chances of reopening are minimal. She said it would also be beneficial for households to attend.

The Mayor explained that MDOT has requested that Ocean Springs and Biloxi split the future cost to maintain the lights and landscaping of the Biloxi Bay Bridge and have submitted a Memorandum of Agreement (MOA) Biloxi Bay Bridge Lighting & Landscape Area (Exhibit 4-c). He said it would be a 60/40% split with Biloxi with Ocean Springs contributing 40% of future maintenance and repair cost. Alderman Papania said he is not in agreement with this, and will not support it. He said the cost is too high, there are too many unknowns and it is written in favor of MDOT. Alderman Gill said that Ocean Springs already maintains the median of Highway 90 throughout Ocean Springs and this is double taxation. He also said that other cities along the Coast have had Highway 90 repaved but Ocean Springs has not and he does not think the City could afford to take on the added financial responsibility of the bridge. Alderman Blackman asked what is involved or included and said at first it was just the side lights and not the lights in the median of the bridge but now it is all of the lighting. He added that there are about 77 light poles on the bridge, but 60 are currently not working. He asked what would be the ongoing cost for taking on this project. Alderman Impey said that the Aldermen are aware of possible issues with beach lighting and feels like MDOT is wanting to "pass the buck". The Mayor tabled the MOA until the cost can be determined.

The City Attorney said he received notice from MEMA that flood maps should be updated. Motion was made by Alderman Blackman and seconded by Alderman Gill to adopt an ordinance; an amendment to the Unified Development Code for the City of Ocean Springs, MS amending certain sections regarding flood damage protection (Exhibit 4-d). The motion carried with a roll call vote as follows:

Alderman Gill	<u>Aye</u>
Alderman Authement	<u>Aye</u>
Alderman Bellman	<u>Aye</u>
Alderman Cox	<u>Aye</u>
Alderman Papania	<u>Aye</u>
Alderman Blackman	<u>Aye</u>
Alderman Impey	<u>Aye</u>

The Mayor said that there were some design flaws in the Hwy. 57 Sportsplex parking design and that since Compton Engineering is already working on the project they would like to continue. Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to approve a professional services agreement for the Hwy. 57 Sportsplex additional parking with Compton Engineering (Exhibit 4-e).

## **CONSENT AGENDA**

Motion was made by Alderman Impey, seconded by Alderman Authement and unanimously carried to approve the Consent Agenda except item 5-x which was tabled by the Mayor.

## **DEPARTMENT REPORTS**

Motion was made by Alderman Authement, seconded by Alderman Bellman and unanimously carried to adopt a resolution to provide an in kind donation to the Historic Ocean Springs Association (HOSA) for an event honoring J.K. and Eleanor Lemon (Exhibit 6-a).

Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to approve the docket of claims; the Board finds that all expenditures are appropriate and authorized by law (Exhibit 6-b).

Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to approve the monthly budget report (Exhibit 6-c).

Motion was made by Alderman Impey, seconded by Alderman Authement and unanimously carried to adopt the Municipal Compliance Questionnaire; changing the address of Alderman Bobby Cox to 2303 Hudson Road and spread upon the minutes (Exhibit 6-d)

The City Clerk discussed the FEMA Hurricane Nate #4350 Sewer Lift Project (Exhibit 6-e). She said she wanted to ensure that the Board wants to proceed with the project. The City will receive \$527,000 from FEMA to proceed, with a \$65,000 match which is budgeted and the City will receive 5% back from the match for administrative fees. She said the next step needs to be taken as soon as possible. Alderman Blackman said that with the project being FEMA, an RFQ and engineer selection process will need to take place. The City Clerk said that she would verify this with FEMA and have the needed information to move forward on the next agenda.

The City Clerk said that she would like to see the Board set a time limit for presentations at board meetings. Alderman Papania said that 10 minutes for a presentation is plenty; Alderman Gill agreed. The Aldermen instructed their Executive Assistant to advise those that want to present before the Board to make them aware of a 10 minute time limit moving forward.

The Mayor said a fence needs to be installed at the back north side of the Fort Maurepas parking lot to block people from going through the neighboring yard. The Parks and Recreation Director said that she has met with a fencing company to get a quote for fencing that matches the other fencing in the park. Alderman Blackman requested to get a quote for five foot black chain link fencing instead. The Planning & Grants Administrator said the HPC (Historic Preservation Commission) would need to approve the fencing before it is installed.

## **PUBLIC COMMENTS**

James Lewis said that he still thinks the City should not have paid an additional \$1,500 to the Dog Park engineer when he had already charged the City his \$900 bid price. He also said there is only one Crossing Guard at Magnolia Park Elementary and traffic backs up; he suggested placing the Crossing Guard on an elevated stand. He said he appreciates the ten minute rule for board meeting presentations which was approved earlier in the meeting.

Charles Danary asked about the extension of the school zone north of the Middle School. He would like to see the area to the west extended also. Alderman Blackman said that people tend to speed on the north side as it is a long nonstop straight section of road.

## **ALDERMAN'S FORUM**

Alderman Gill said he would like to split the cost of the Fort Bayou Subdivision landscaping charges for the entrance and use \$620 from his Ward fund. Motion was made by Alderman Gill, seconded by Alderman Bellman and unanimously carried to use \$620 of Ward 1 funds for landscaping the entrance to Fort Bayou Subdivision.

Alderman Gill said that he would like to request a special parent/infant swing for Fort Bayou Children's Park similar to the one at Little Children's Park. Motion was made by Alderman Gill, seconded by Alderman Papania and unanimously carried to use up to \$1,800 of Ward 1 funds to purchase a power skate solo swing for Fort Bayou Children's Park. The Parks & Recreation Director said that they may be able to reduce the price by extending the current swing stand.

Alderman Cox asked the Public Works Director about the street sweeper. He responded that it would be received this week in time for Cruisin' the Coast.

Alderman Papania asked that the Executive Assistant to the Mayor and the Board to review the Walk/Run and Special Event permit process including paperwork and needed meetings to see if the City is breaking even or if there should be a cost increase. She responded that she would have something prepared for the next Board meeting. He then said that that he was contacted by a citizen whose daughter is on the tennis team and he requested that backboards be added to the City's tennis courts for practice. The Parks & Recreation Director said that when the tennis courts were built they wanted to install backboards at that time. She would like to add backboard to courts 1 and 2 to see how it goes. She said the backboards are 8'x20' fiberglass

and cost \$2,443.00 each. Motion was made by Alderman Papania, seconded by Alderman Gill and unanimously carried to purchase and install fiberglass tennis backboards at the City's tennis courts spending up to \$4,900.

Alderman Blackman thanked the Police Chief and Public Works for assistance with a situation on Pabst Road.

Alderman Impey reminded everyone of upcoming events; the HOSA dedication of Marshall Park this Saturday, October 5th, the Annual Willow's Birthday Bash fundraiser for MSD at Lynn Meadows Discover Center this weekend, Cruisin' the Coast 2019 in Ocean Springs on October 10th, 11th and 12th and also the upcoming Veterans Day Parade on October 26th.

## **EXECUTIVE SESSION**

Motion was made by Alderman Authement, 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 Authement, seconded by Alderman Gill and unanimously carried to remain in executive session to discuss the Sands litigation, potential litigation of 415 East Beach, potential land acquisition, and personnel in the Fire and Public Works Departments.

Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to hire Derek McCoy as Fire Chief at the first step rate.

Motion was made by Alderman Cox, seconded by Alderman Papania and unanimously carried to approve the appraisal of property being considered for purchase.

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 Cox and unanimously carried to recess the meeting until 6:00 p.m. on October 15, 2019.

Meeting ended at 8:46 p.m.

Battie Maston  
City Clerk

11/05/19  
Date

Shay Black  
Mayor

11/05/19  
Date

**REGULAR MEETING AGENDA**  
**MAYOR AND BOARD OF ALDERMEN • CITY OF OCEAN SPRINGS**  
**October 1, 2019 – 6:00 p.m. at City Hall**

**1. CALL TO ORDER**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

**3. PROCLAMATION**

- a) "Embrace the Gulf" – Beck Ginn, Melissa Pringle, Lee Yokel, & Laura Bowie (Exhibit 3-a)
- b) "Domestic Violence Awareness Month October 2019" – Rene Davis, Melissa Galatas and Amanda Conde - Gulf Coast Center for Non Violence (Exhibit 3-b)
- c) "2019 Fire Prevention Week – Not Every Hero Wears a Cape" (Exhibit 3-c)

**4. NEW BUSINESS**

- a) Neel-Schafer Annual Update & Training
- b) Continuity Plan Workshop – Carolyn Martin (Exhibit 4-b)
- c) Memorandum of Agreement (MOA) Biloxi Bay Bridge Lighting & Landscape Area (Exhibit 4-c)
- d) Proposed Ordinance – An amendment to the UDC, amending certain sections regarding flood damage protection (Exhibit 4-d)
- e) Approve professional services agreement – Hwy 57 Sportsplex Additional Parking – Compton Engineering (Exhibit 4-e)

**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 to Allow the Sale of Beer by Rotary Club of Edgewater, MS Inc. for the Duration of the 2019 Cruisin' the Coast (Exhibit 5-a)
- b) Adopt Resolution to Extend School Speed Zone near Ocean Springs Middle School (Exhibit 5-b)
- c) Approve Use of Right Agreement – 901 Washington Avenue – beginning 5:00 p.m. October 9 until 12:00 p.m. October 13, 2019 (Exhibit 5-c)
- d) Approve Use of Right Agreement – 901 Washington Avenue – beginning 5:00 p.m. November 1 until 11:59 p.m. November 3, 2019 (Exhibit 5-d)
- e) Approve Temporary Dedications of Land for Public Use Agreement for 1515 Government Street for Cruisin the Coast 2019 and Peter Anderson Festival 2019 (Exhibit 5-e)
- f) Approve Special Event Permit Application for Cruisin' the Coast Sock Hop & Street Party; Scheduled for Friday, October 11, 2019 from 5:00 p.m. until 9:00 p.m. – Roads will open at 9:00 p.m.; at Applewhite Property – Desoto Street and Cox Avenue; Overtime cost may be incurred (Exhibit 5-f)
- g) Approve Special Event Permit Application for First Presbyterian Church Fall Festival; Scheduled for Sunday, October 20, 2019 from 4:00 p.m. until 7:00 p.m.; at First Presbyterian Church – Ocean Avenue will be closed; No cost to the City (Exhibit 5-g)

- h) Approve Walk/Run Permit Application for Witches Ride of Ocean Springs; Scheduled for Thursday, October 31, 2019 from 5:0 p.m. until 6:00 p.m.; Starting at Joseph Street to Washington Avenue and ending at Knuckleheads.; Overtime cost may be incurred (Exhibit 5-h)
- i) Approve Walk/Run Permit Application for St. Alphonsus Night of Neon Run; Scheduled for Friday, November 15, 2019 from 6:00 p.m. until 8:30 p.m.; Starting at Jackson Ave ending at Calhoun Street at St. Alphonsus.; No cost to the City (Exhibit 5-i)

**City Clerk:**

- j) Approve Minutes: Regular Meeting September 3, 2019 (Exhibit 5-j)
- k) Approve Minutes: Special Call Meeting September 5, 2019 (Exhibit 5-k)
- l) Accept Minutes: Special Call Meeting September 13, 2019 (Exhibit 5-l)
- m) Approve Minutes: Finance Committee Meeting September 3, 2019 (Exhibit 5-m)
- n) 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-n)
- o) Accept September 2019 Aged Receivable Report for Utility Billing (Exhibit 5-o)
- p) Ratify Check to Gulf Coast Golf Carts LLC for \$4,660.00 –Golf Cart City Hall & Festivals (Exhibit 5-p)

**Police Department:**

- q) Authorize out of state travel for Employee #2137; October 3 – 4, 2019 to attend Identifying, Investigating and Prosecuting DV Strangulation Cases – New Orleans, LA.; Expenses are budgeted (Exhibit 5-q)
- r) Authorize out of state travel for Employee #811; November 7 – 8, 2019 to attend Background Investigation for Police Applicants – Orange Beach, AL.; Expenses are budgeted (Exhibit 5-r)

**Human Resources/Risk Management:** (Exhibit 5 – s, t, u, v, w, x)

- s) Authorize promotion of Lieutenant Brad Chennault to the rank of Battalion Chief, Step 1, \$18.91 hourly rate, effective October 5, 2019, six month probation; authorize to begin the process of filling the vacant position
- t) Authorize beginning the process to fill a Firefighter vacancy due to the termination of Probationary Firefighter #2418, effective September 26, 2019
- u) Authorize employment of Daniel Cockerham, Street Laborer, Grade 3, Step 4, \$12.73 hourly rate, effective October 2, 2019, one year probation, pending successful completion of all pre-employment requirements
- v) Authorize transfer of Street Laborer David Charbonnet to Truck Driver I, Grade 7, Step 1, \$14.59 hourly rate, effective October 5, 2019, six month probation, pending successful completion of all pre-employment requirements
- w) Authorize employment of Brittney Burgess, Parks Administrative Assistant, Grade 3, Step 1, \$12.00 hourly rate, effective October 2, 2019, one year probation, pending successful completion of all pre-employment requirements
- x) Authorize employment of Quintine Anderson, Parks Maintenance Worker, Grade 3, Step 1, \$12.00 hourly rate, effective October 2, 2019; one year probation, pending successful completion of all pre-employment requirements

**Community Development & Planning:**

Historic Preservation Commission:

- y) Accept resignation Historic Preservation Commission member, Maria Mallard-Hughes, and begin process to fill the vacancy (Exhibit 5-y)

**Building Department:**

- z) Accept Tree Protection Committee meeting minutes from September 24, 2019 (Exhibit 5-z)

- aa) Approve Code Enforcement Report through September 27, 2019 (Exhibit 5-aa)
- bb) Approve Demolition of Structure located at 609 Ward Avenue (Exhibit 5-bb)

**Parks & Recreation:**

- cc) Approve Facility Use Agreement – OS Adult Softball at Sports Complex and Gay-Lemon (Exhibit 5-cc)
- dd) Approve Facility Use Agreement – OS Softball League Youth Girls at Sports Complex and Gay-Lemon (Exhibit 5-dd)
- ee) Approve Facility Use Agreement – Coast Soccer Club at Sports Complex and Gay-Lemon (Exhibit 5-ee)
- ff) Approve Facility Use Agreement – OS Baseball Organization at Sports Complex, Alice Street and Steve Parker Fields (Exhibit 5-ff)
- gg) Approve Facility Use Agreement – OS Greyhound Lacrosse at Gay-Lemon (Exhibit 5-gg)

**6. DEPARTMENT REPORTS**

**Mayor:**

- a) Adopt Resolution to provide in kind donation to Historic Ocean Springs Association (HOSA) (Exhibit 6-a)

**City Clerk:**

- b) Approve payment: Docket of Claims, all expenditures are appropriate and authorized by law, and spread summary on the Minutes (Exhibit 6-b)
- c) Accept Monthly Budget Report (Exhibit 6-c)
- d) Adopt Municipal Compliance Questionnaire and spread upon the minutes (Exhibit 6-d)
- e) Approve FEMA Hurricane Nate #4350 Sewer Lift Project (Exhibit 6-e)
- f) Discussion of setting limits for presentations before the Board

**Police Department:**

**Fire Department:**

**Human Resources/Risk Manager:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

**Building Department:**

**Parks & Recreation:**

**City Attorney:**

**7. PUBLIC COMMENT:** *The public is invited to address the Board for up to 3 minutes each for a maximum period of 30 minutes. The Board will take all comments under advisement to take potential action at a later date if warranted. Priority will be given to Ocean Springs residents and Business Owners.*

- Please identify yourself before speaking into the microphone.

**8. ALDERMEN'S FORUM**

**9. EXECUTIVE SESSION**

- a) Discussion of appraisal for potential property acquisition, address withheld to protect negotiations

**RECESS UNTIL 6:00 P.M. on October 15, 2019**