

RECESSED MEETING OF MAY 16, 2023

CALL TO ORDER

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 16, 2023. Mayor Holloway presided, and Aldermen Burgess, Authement, Wade, Cox, Papania, and Impey were present. Alderman Blackman was absent. Also present were City Attorney Robert Wilkinson, City Clerk Patty Gaston, Deputy City Clerk Vicky Hupe, Police Chief Mark Dunston, Fire Chief Derek McCoy, Building Official Darrell Stringfellow, Public Works Director Allan Ladnier, Human Resources & Risk Management Director Mindy McDowell, Planning & Grants Administrator Carolyn Martin, Parks & Recreation Director Stephen Glorioso, Project Manager Sarah Harris, and Admin & Community Relations Coordinator Ravin Nettles.

The Mayor called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

A motion was made by Alderman Impey, seconded by Alderman Cox, and unanimously carried to accept the agenda.

PRESENTATION/PROCLAMATION

a. Mayor's Youth Council Update

MYC President RJ Davis gave a Spring Semester review for the 2022 - 2023 academic year. He said 13 seniors will be graduating and announced the upcoming year's officers. The new officers are Parisay Babar (President), Kiley Hayes (Vice-President), Savannah Sempier (Secretary), Kennadi Jackson (Public Relations Coordinator), and Michael Diaz (Special Project Coordinator/ Treasurer). He said they will be selecting the new council for the 2023 - 2024 academic year within the next week.

b. OSHS Girls Powerlifting Day

The Ocean Springs High School Girls Powerlifting team and coaches accepted the Proclamation.

c. National Public Works Week

The Public Works Director accepted the Proclamation.

AGENDA PUBLIC COMMENT

Bill Moore, item 3-a, thanked Public Works on behalf of the Ocean Springs Chamber for all of their work keeping the City going.

Don Parker, item 7-y, said he submitted a tree removal application for the removal of a Live Oak and two Magnolia trees at his Bienville Blvd. property. The Magnolias were approved pending a building permit but the Live Oak was denied by the Building Official. He requested the denial be reviewed to allow for parking at his planned site.

OLD BUSINESS

a. Discuss Skate Park ~ Alderman Blackman

Alderman Cox spoke in Alderman Blackman's absence. He said the Skate Park Planning Committee had a presentation for the Board to propose a new site. Matthew Hosey and Chris Beaugez represented the Skate Park Planning Commission. They presented a draft about using the open greenspace at Gay Lemon Park by the football fields and parking lot. They said they are currently in talks with MS Power to use some of the adjacent land. They proposed the drainage ditch be piped in with a skateable covered area. They requested a commitment of the area from the City and the creation of a budget line item for donations to support the design cost of the project. The Mayor said there has been a grant application and approval for batting cages in the footprint of the proposed site and that any change to that scope could delay the project. Alderman Papania asked about parking. They replied that there hadn't been a full study but they felt confident that there would be ample parking. Alderman Burgess said she went to Wiggins, MS to review and discuss their skate park with their Mayor and the results were positive. She said she would support this location for the skate park. A motion was made by Alderman Cox, seconded by Alderman Papania, and unanimously carried to create a budget line item for the skate park to accept donations and grants.

b. ADOPT ORDINANCE: DRAFT ORDINANCE: Consideration of an Amendment to the Zoning Regulations on Residential Short-Term Rentals

The Planning & Grants Administrator said the changes made at the last meeting have been made to the ordinance. She said a public hearing will no longer be required for Residential Short-term Rentals (RSTR) inside the Downtown Overlay District and those properties will not fall under the cap. She said the caps were also adjusted to a maximum of 55 inside the Density Zone, and 60 outside the Density Zone and Downtown Overlay District for a total of 115 RSTR. A motion was made by Alderman Authement and seconded by Alderman Impey to adopt an Ordinance an amendment to

the Zoning Regulations on Residential Short-term Rentals (ORD 2023-07). The motion carried with a vote as follows:

Aye: Alderman Burgess, Alderman Authement, Alderman Wade, Alderman Impey

Nay: Alderman Papania , Alderman Cox

c. Insurance renewal update - Scott Lemon

Scott Lemon was not present, the item was tabled.

d. Discuss Weapons Policy - City Attorney

The City Attorney said with the events of the prior week, he has not had time to fully review and discuss the proposed policy with the Police Chief. He requested it be tabled until the next meeting. A motion was made by Alderman Cox, seconded by Alderman Authement, and unanimously carried to table the Weapons Policy until the next meeting.

NEW BUSINESS

a. APPEAL: ZONING ADJUSTMENT BOARD DENIAL: Request approval of a variance to the maximum permitted size of an accessory building – Parcel No.: 61455076.000 (2022 Kensington Ave.) – Applicant: Chris Clardy

The City Planner explained that ZAB denied the application due to the UDC limiting the size of a storage building to be 40% or less than the main building. He said the main building is 2,160 square feet and the application is for a 1,000 square foot storage building. He said the allowed size would be 864 square feet and the applicant is requesting a 15.7% variance. He said the Board can permit a variance of 25%. He explained that during the ZAB meeting, several neighbors presented issues and complaints against the property and ZAB denied the application.

Chris Clardy explained that the previously existing building was falling down and had a bigger footprint at 1,100 square feet than the applied for 1,000 square feet. He said the hired contractor that removed the previous building should have pulled the permit. He said he plans to build it himself with a building kit and it will have no plumbing.

Alderman Authement said that he doesn't want to set a precedence by allowing bigger storage structures. Alderman Papania agreed and that the UDC regulation should be followed. Alderman Authement asked what the hardship is to qualify for the variance. Mr. Clardy replied that there are vehicles that he needs to store and have a work area. A motion was made by Alderman Wade, seconded by Alderman Authement, and unanimously carried to uphold the Zoning Adjustment Board's denial of a variance to the maximum permitted size of an accessory building at 2022 Kensington Ave. Parcel No.: 61455076.000.

CONSENT AGENDA

A motion was made by Alderman Impey, seconded by Alderman Papania , and unanimously carried to approve the consent agenda except item 7-y.

Mayor:

- a. Authorize the Mayor to execute Artisan Pyrotechnics, Inc. contract for \$15,000 for a Fireworks Show on June 30, 2023
- b. Authorize the Mayor to execute a Memorandum of Understanding with the Walter Anderson Museum of Art
- c. Approve special event application for Cruisin' the Coast 2023 on October 5-7, 2023, 7:00 am - 6:00 pm, in downtown Ocean Springs; overtime costs incurred for the city.
- d. Approve Permit for the Ocean Springs Pride Bike and Golf Cart Ride on June 10, 2023, from 5:00-8:00 pm, in downtown.
- e. Request approval to allow the mayor to sign the agreement to contract with Pocket Aces Brass Band for Friday at the Fort on May 26, 2023, at Fort Maurepas Park. This 8-person band will play 6:00-9:00 pm. The cost will be \$2,000.

City Clerk:

- f. Authorize the Mayor to execute the contract with American Municipal Services for collection services of delinquent water accounts
- g. Approve Minutes: Regular Meeting May 2, 2023
- h. Approve Minutes: Special Call May 5, 2023
- i. Ratify check 126107 for \$2,666.00 to Knucklehead for crawfish purchased for Boilin on Da Beach
- j. Ratify check 126151 for \$38,586.00 to Delta Construction for concrete work completed

Police Department:

- k. Accept OSPD Monthly Report for April 2023

Fire Department:

- l. Accept OSFD Monthly Report for April 2023

Human Resources/Risk Management:

- m. Accept resignation of Firefighter Daniel Jay, effective May 16, 2023; authorize to begin the process of filling the vacant position

- n. Authorize employment of Dawn Underwood, Planning & Grants Coordinator, Step 5, \$16.91 hourly rate; effective May 17, 2023; one-year probationary status, pending successful completion of all pre-employment requirements
- o. Authorize employment of Kaleigh Busby, Camp & After School Coordinator, Step 1, \$17.40 hourly rate; effective May 17, 2023; one-year probationary status, pending successful completion of all pre-employment requirements
- p. Authorize employment of Milton Bourg, Parks Maintenance Laborer, Step 1, \$12.36 hourly rate; effective May 17, 2023; one-year probationary status, pending successful completion of all pre-employment requirements
- q. Accept resignation of Maintenance Foreman Brett Spicer, effective May 19, 2023; authorize to begin the process of filling the vacant position
- r. Authorize transfer of Equipment Operator Thomas Lizana to Mechanic, Step 3, \$17.57 hourly rate; effective May 29, 2023; six months probationary status; authorize to begin the process of filling the vacant position
- s. Accept resignation of Admn/Purchasing Asst Kendall Goller, effective May 26, 2023; authorize to begin the process of filling the vacant position

Planning Commission:

- t. Approve a lot split at 321 Cleveland Ave., Parcel No.: 60225400.000 – Applicant: Charles Jeffrey Thompson
- u. Approve the Final Plat of the 1515 Government Street Subdivision, a minor subdivision of three (3) lots – Applicant: OHOS Development, LLC

Grants Administration:

- v. Concur with Recommendation for Construction Engineering & Inspection (CE&I) Services by Brown, Mitchell, & Alexander, Inc. - Government Street Improvement Project – Phase 2 – Project No. STP-9064-00(010) LPA/106375

Historic Preservation Commission:

- w. Approve Certificate of Appropriateness to paint the house exterior – 1102 Bowen Ave., Parcel No.: 60137452.000 – Applicants: Charles Christopher and Mary Ashbaker
- x. Approve the Certificate of Appropriateness to construct fences along the rear and front property lines – 617 Bellande Ave., Parcel No.: 60137448.000 – Applicants: Katherine Segarra and J. B. Segarra

Building Department:

- y. Accept Building Official Tree Recommendations - Tree applications through May 11, 2023

A motion was made by Alderman Authement, seconded by Alderman Wade, and unanimously carried to approve item 7-y with the contingent approval of the Bienville

Blvd. application that all trees on the application will be approved if the submitted plans and the Building Official determine they are in the building footprint.

- z. Accept Building Permit Report for April 2023
 - aa. Accept Code Report through May 11, 2023

DEPARTMENT REPORTS

- a. City Clerk: Authorize the adjustment of water/sewer accounts due to finding that the customer did not receive the benefit of the utility and the excess usage was due to unforeseen circumstances.

A motion was made by Alderman Papania , seconded by Alderman Burgess, and unanimously carried to adjust the water/sewer accounts listed, with the finding that the customers did not receive the benefit of the utility and excess usages were due to unforeseen circumstances.

- b. City Clerk: Approve payment: Docket of Claims, all expenditures are appropriate and authorized by law, and spread summary on the Minutes

A motion was made by Alderman Impey, seconded by Alderman Papania, and unanimously carried to approve the Docket of Claims finding that all expenditures are appropriate and authorized by law, and spread the summary on the minutes.

- c. City Clerk: Authorize Budget Amendments

A motion was made by Alderman Cox, seconded by Alderman Wade, and unanimously carried to authorize the budget amendments.

GENERAL PUBLIC COMMENT

Jim Boettogheimer said he didn't know his tree appeal for 3831 Chaumont Circle was on a previous meetings agenda and was denied because he was not present. He explained the issues with the tree and requested he be allowed to appeal again.

Chet Lawrence asked if his tree removal application was approved for 2508 Parkwood Drive. The Building Official replied that he would be notified if approved.

Ellen Hall spoke about the recent Downtown shooting and the noise ordinance. She requested the Board limit the number of new bars, establish a noise level and time

allowed, and protect citizens first.

Beth Holland said she has a RSTR application and requested all on the waiting list be addressed and the list be vetted.

Deborah Parker spoke about the increase in the number of bars, outside loud music, and crime in Downtown. She requested a limit and waiting list for bars and add a stop time for music and the sale of alcohol. She also requested the Board table annexation until Downtown is cleaned up.

Julia Illane agreed with previous speakers. She requested restricting lewd music and a cut off time for the sale of to-go cups.

MAYOR AND ALDERMEN'S FORUM

Alderman Burgess requested the mulch that is in the subdivision entrances that are maintained by the City be replaced with colored rocks with a retaining barrier. The Mayor said there is liability of windshield damage by rocks rather than mulch. Alderman Burgess responded that the retaining barrier would prevent windshield damages.

A motion was made by Alderman Authement, seconded by Alderman Papania, and unanimously carried to authorize to waive the \$400 Mary C. O'Keefe Cultural Arts Center rental fee for the Blood Drive for Mia Hill in partnership with Lighthouse for Dyslexia and Singing River Health System on Tuesday, May 23 from 7:00 a.m. – 7:00 p.m.

Alderman Wade requested an update on the Betchel ditch piping project. The Project Manager replied that Jackson County requested the City pay for engineering. The Mayor instructed to get with Overstreet Engineering.

Alderman Cox asked the Building Official about 3831 Chaumont Circle tree appeal. The City Attorney advised him to submit a new application and start the process again since the Board had already made a ruling.

Alderman Papania thanked the City Accountant for providing a Professional Services spreadsheet.

A motion was made by Alderman Impey, seconded by Alderman Cox, and unanimously carried to authorize the employment of Garrett Beasley, Firefighter I, Step 9, \$17.27 hourly rate; effective May 27, 2023; one-year probationary status, pending successful completion of all pre-employment requirements.

A motion was made by Alderman Impey, seconded by Alderman Wade, and unanimously carried to accept the resignation of Building Permit Clerk Amanda

Lemaire, effective May 26, 2023, and authorize to begin the process of filling the vacant position.

A motion was made by Alderman Impey, seconded by Alderman Cox, and unanimously carried to authorize the total payment of \$18,500 to Saltwater Fabrication for the Cash Alley Sign.

EXECUTIVE SESSION

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

The City Clerk returned to the meeting and announced that a motion was made by Alderman Impey, seconded by Alderman Authement, and unanimously carried to remain in executive session to discuss litigation and personnel in the Police Department.

A motion was made by Alderman Impey, seconded by Alderman Cox, and unanimously carried to come out of the executive session where the following action was taken:

A motion was made by Alderman Papania, seconded by Alderman Cox, and unanimously carried to treat the recent Downtown shooting event as an emergency and pay Police Captain Ryan Lemiere overtime.

A motion was made by Alderman Impey, seconded by Alderman Authement, and unanimously carried to recess/adjourn the meeting until 6:00 p.m. on June 6, 2023.

The meeting ended at 7:57 p.m.

ADJOURN UNTIL 6: 00 P.M. on June 6, 2023

Mayor Date

Clerk Date