

REGULAR MEETING OF AUGUST 1, 2023

CALL TO ORDER

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 August 1, 2023. Mayor Holloway presided, and Aldermen Burgess, Authement, Wade, Cox, Papania, Blackman, and Impey were present. Also present were City Attorney Robert Wilkinson, City Clerk Patty Gaston, Deputy City Clerk Vicky Hupe, Police Captain Ryan Lemaire, 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 Burgess led the Pledge of Allegiance.

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

PROCLAMATIONS/PRESENTATIONS

a. AVL - Fiscal Year 2021-2022 Audit Report

Kim Marmalich & Deborah Aiken from Alexander, Van Loon, Sloan. Levens, Farve, PLLC (AVL) presented the completed City's Financial Audit using Government Auditing Standards. They said the audit is historical, ending September 30, 2022. They concluded there were no difficulties in completing the audit and no significant deficiencies or material instances of non-compliance with state laws and regulations. The Board had no questions. The motion to accept the FY 21-22 audit was not taken and will be on the next consent agenda.

b. Recognition: Emma Scruggs - Mississippi Deep Sea Fishing Rodeo Queen

The Admin & Community Relations Coordinator introduced the former Mayor's Youth Council member and newly crowned Mississippi Deep Sea Fishing Rodeo Queen Emma

Scruggs. Ms. Scruggs thanked the Board for the opportunity to represent Ocean Springs in the competition.

PUBLIC HEARINGS

- a. Approve Request for Zoning Change from the R-1 (Low-Density Single Family Residential District) to CMX-1 (Neighborhood Commercial Mixed Use District), for 2107, 2109, and 2259 Bienville Blvd., PID# 60120010.000, 60120010.001 and 60120015.000, Planning Commission recommends approval

A motion was made by Alderman Impey, seconded by Alderman Wade, and unanimously carried to open the Public Hearing.

The Planning & Grants Administrator explained the Planning Commission determined there was a change in the character of the neighborhood and recommended approval.

Donavan Scruggs said that the property is zoned single-family residential and is not common on Bienville Blvd. nor is it a good use of the property. He said since 2005, there have been zoning changes both to the east and west of the property. He said the request for CMX-1 still allows for single-family residential and commercial uses.

A motion was made by Alderman Impey, seconded by Alderman Wade, and unanimously carried to close the Public Hearing.

A motion was made by Alderman Authement and seconded by Alderman Blackman to adopt the Ordinance to approve the request for a zoning change from the R-1 (Low-Density Single Family Residential District) to CMX-1 (Neighborhood Commercial Mixed-Use District), for 2107, 2109, and 2259 Bienville Blvd., PID# 60120010.000, 60120010.001 and 60120015.000 (ORD - 2023-10). The motion carried with a roll call vote as follows:

Aye: Alderman Papania, Alderman Burgess, Alderman Impey, Alderman Blackman, Alderman Authement, Alderman Cox, Alderman Wade

Nay: None

- b. Request a Zoning Change from the R-2 (Low-Medium Density Single Family Residential District) to CMX-1 (Neighborhood Commercial Mixed Use District), for 710 General Pershing Ave., PID# 60130170.000. Planning Commission recommends DENIAL

A motion was made by Alderman Authement, seconded by Alderman Burgess, and unanimously carried to open the Public Hearing.

The Planning & Grants Administrator explained the Planning Commission did not determine the character of the General Pershing neighborhood had significant changes

and recommended denial.

Mike Maltby, 603 General Pershing, spoke against the zoning change.

JP Gall, 701 General Pershing, spoke against the zoning change.

A motion was made by Alderman Impey, seconded by Alderman Blackman, and unanimously carried to close the Public Hearing.

A motion was made by Alderman Impey and seconded by Alderman Blackman to deny the request for a zoning change from the R-2 (Low-Medium Density Single Family Residential District) to CMX-1 (Neighborhood Commercial Mixed-Use District), for 710 General Pershing Ave., PID# 60130170.000. The motion carried with a roll call vote as follows:

Aye: Alderman Papania, Alderman Burgess, Alderman Impey, Alderman Blackman, Alderman Authement, Alderman Cox, Alderman Wade

Nay: None

AGENDA PUBLIC COMMENT

Dr. Bill Moore, item 3-b, thanked Emma Scruggs for representing Ocean Springs well and Ravin Nettles for her work as the Mayor's Youth Council Advisor.

Roy McKinsey, item 7-b, thanked the City for supporting the Wounded Warriors In Action 2nd Annual Ocean Springs Cook-Off. He said they have already received 300 vendor applications.

OLD BUSINESS

- a. Adopt a Resolution authorizing the execution of a Development and Reimbursement Agreement with OHOS Development, LLC in connection with a retail development at 1515 Government Street and the sale and issuance of Tax Increment Financing Bonds in an aggregate principal amount not to exceed \$1,000,000 for the purpose of financing the cost of acquiring, installing, and constructing certain infrastructure improvements necessary for said development and for related purposes

Troy Johnston from Butler Snow explained this is the final step in the preliminary TIF process. He said the taxes generated from the project will be reimbursed to the developer for the improvements to the City's infrastructure up to \$1 Million with a 15-year bond. He said Jackson County has approved their portion of the TIF plan for the development. A motion was made by Alderman Authement and seconded by Alderman Burgess to adopt a Resolution authorizing the execution of a Development and

Reimbursement Agreement with OHOS Development, LLC in connection with a retail development at 1515 Government Street and the sale and issuance of Tax Increment Financing Bonds in an aggregate principal amount not to exceed \$1,000,000 for the purpose of financing the cost of acquiring, installing, and constructing certain infrastructure improvements necessary for said development and for related purposes.

The motion carried with a roll call vote as follows:

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

Nay: None

Recused: Blackman

CONSENT AGENDA

A motion was made by Alderman Impey, seconded by Alderman Burgess, and unanimously carried to approve the consent agenda except for items 7-q and 7-x pulled by Alderman Cox.

Mayor:

- a. Approve Special Event Application for The Witches Ride of Ocean Springs on Saturday, October 28, 2023, from 5:30 - 7:00 p.m. with October 29, 2023, as a rain date; Downtown Ocean Springs, street closure, at no cost to the City, the applicant pays the associated event cost.
- b. Approve Special Event Application for the End of the Summer BBQ Cook-Off and Concert on Saturday, September 16, 2023, at the Veteran's Memorial Park, at no cost to the City, the applicant pays the associated event cost. Waive the rental fee for the use of the Ocean Springs Civic Center, and approve the use of the city logo to advertise the city's resources.
- c. Approve Special Event Application for filming a commercial on Wednesday, August 9, and Friday, August 11, in Downtown Ocean Springs, the applicant pays the associated event cost.
- d. Approval to waive the rental fee for the Highway 57 sports fields for the Ocean Springs School District Cross Country Meet on October 6, 2023.
- e. Authorize the Mayor to execute the Right of Use agreement with Hancock Whitney starting at 4:00 p.m. on October 4, 2023, and ending at 5:00 p.m. on October 8, 2023, for Cruisin' the Coast event.
- f. Authorize the Mayor to execute the Right of Use agreement with Hancock Whitney starting at 4:00 p.m. on November 3, 2023, and ending at 5:00 p.m. November 5, 2023, for the Peter Anderson Festival event
- g. Authorize to advertise for the two openings on the Civil Service Commission with a six-year term expiring July 31, 2029, and two openings on the Library Board

with a five-year term expiring July 31, 2028

City Clerk:

- h. Authorize Weaver Electric, Inc. to continue serving as an electrical service provider for ballfield lighting, beach electrical services, and other miscellaneous needs at listed rates for a period of one year effective through July 31, 2024
- i. Authorize the Mayor to execute the Contract for Professional Services with Fred "Chic" Cody for Special Event Consultant August 1, 2023 to July 31, 2024
- j. Accept July 2023 Aged Receivable Report for utility billing
- k. Ratify check 126772 to Aritsan Pyrotechnics for \$15,000 for 6/30/23 fireworks display
- l. Ratify check 126858 to Philadelphia Insurance Companies for \$12,644.00 for child care program insurance

Human Resources/Risk Management:

- m. Authorize promotion of Acting Sergeant Andrew England to Sergeant, Step 1, effective August 5, 2023; six months probationary status
- n. Authorize promotion of Acting Sergeant Cody Gill to Sergeant, Step 1, effective August 5, 2023; six months probationary status
- o. Authorize removal of Drainage Laborer Ethan Ewing from probationary status to full time status effective August 3, 2023
- p. Authorize removal of Drainage Laborer Cornelius Nettles from probationary status to full time status effective August 3, 2023

Grants Administration:

- q. Authorize: 1) Change of Scope Request for Tidelands Award and 2) Execute Amendment #1 with Neel-Schaffer, Inc. for East Beach Pathway Preliminary Engineering Services – Tidelands: FY20-P412-02 – East Beach Accessibility / Pathway

Alderman Cox asked for clarification on funding. The Planning & Grants Administrator said this is the first accessibility sidewalk for the north side of East Beach. A motion was made by Alderman Cox, seconded by Alderman Papania, and unanimously carried to authorize: 1) change of scope request for Tidelands Award and 2) execute Amendment #1 with Neel-Schaffer, Inc. for East Beach Pathway Preliminary Engineering Services – Tidelands: FY20-P412-02 – East Beach Accessibility / Pathway.

- r. Authorize Execution of the Memorandum of Understanding (MOU) and Related Documents – MS Department of Finance and Administration for Disbursement of Funds Related to Section 28(gs) of MS HB 603 Assist in Paying Costs Associated with GIS Mapping of Infrastructure – \$75,000
- s. Authorize Execution of the Memorandum of Understanding (MOU) and Related

Documents – MS Department of Finance and Administration for Disbursement of Funds Related to Section 28(gt) of MS HB 603 Assist in Paying Costs Associated with Adding Turn Lanes, Curbs, Drainage, and Sidewalks – \$400,000

- t. Authorize Execution of the Memorandum of Understanding (MOU) and Related Documents – MS Department of Finance and Administration for Disbursement of Funds Related to Section 28(gu) of MS HB 603 Assist in Paying Costs Associated with Covering the Stage at Fort Maurepas – \$450,000
- u. Authorize Execution of the Memorandum of Understanding (MOU) and Related Documents – MS Department of Finance and Administration for Disbursement of Funds Related to Section 28(jv) of MS HB 603 Assist in Paying Costs Associated with Repairs and Restoration of the Mary C. O'Keefe Cultural Center – \$250,000
- v. Authorize Execution of the Memorandum of Understanding (MOU) and Related Documents – MS Department of Finance and Administration for Disbursement of Funds Related to Section 28(ni) of MS HB 603 Assist in Paying Costs Associated with Infrastructure Improvements – \$600,000
- w. Authorize to Award Construction: MDOT Transportation Improvements Program (TIP) Federal Surface Transportation Program (STP) / STP-9065-00(004)/LPA 108084-701000 - Ocean Springs Road Reconstruction Project – Award to Lane Construction – \$3,503,993.00
- x. Authorize Award for Construction to JE Talley Construction, Inc. in the amount of \$837,490.50 – MS Dept. of Wildlife, Fisheries, & Parks – Land and Water Conservation Fund Project: Gay Lemon Park Improvements

Alderman Cox said this project needs to be completed quickly and requested a timeline for the project and asked if there is a plan to mitigate the additional cost. The Project Manager responded that to move forward this authorization is needed and Jackson County will be requested to provide the paving of the parking lot which is a large part of the additional cost that will be incurred. A motion was made by Alderman Cox, seconded by Alderman Blackman, and unanimously carried to authorize the award for construction to JE Talley Construction, Inc. in the amount of \$837,490.50 – MS Dept. of Wildlife, Fisheries, & Parks – Land and Water Conservation Fund Project: Gay Lemon Park Improvements.

Building Department:

- y. Reappoint William "Billy" Nix to the Building Board of Adjustments & Appeals for a five-year term expiring July 31, 2028
- z. Accept Building Official Recommendations for Tree Applications through 7/26/2023
- aa. Accept Code report through July 27, 2023

Parks & Recreation Department:

- bb. Reappoint Terry Evans to the Parks Advisory Board for a five-year term expiring July 31, 2028

DEPARTMENT REPORTS

- a. 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 Cox, seconded by Alderman Authement, 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.

- b. City Clerk: Accept monthly budget report

A motion was made by Alderman Impey, seconded by Alderman Wade, and unanimously carried to accept the monthly budget report.

- c. Building: Review Tree Removal Appeal at 506 Martin

The Building Official said several trees were approved but denied two Magnolia trees in the back of the property because they are not in the footprint of the home. Property owner, Les McMakin, said an arborist recommended removal of both Magnolia trees due to decay and there will be a fence constructed at a later time in the same area. A motion was made by Alderman Cox, seconded by Alderman Blackman, and unanimously carried to grant the appeal, allowing the two Magnolia trees to be removed in addition to those previously approved at 506 Martin Avenue.

- d. Project Management: Ocean Springs Active Citywide Project Update

The Project Manager reviewed the current 19 active projects and updated the Board on the current phase of each.

GENERAL PUBLIC COMMENT

Katie Yow said that Davis Bayou and the ditches around the Parktown Subdivision need to be cleared before a hurricane. She also said she wants her driveway fixed due to damage by a neighboring tree. Alderman Impey replied that the tree is not on public property and cannot be taken down by the city.

Tim Trepagnier asked if there was an available final document for the widening project for Highway 90. The Project Manager said it is an MDOT project and the City does not have any plans. He asked for any and all documents regarding the rezoning of Lot 1 Davis Bayou to commercial, which is against the neighborhood covenants.

Lynae Jacob spoke against Lot 1 Davis Bayou being changed to commercial, saying the change was against neighborhood covenants.

MAYOR AND ALDERMEN'S FORUM

Alderman Burgess confirmed with the Project Manager and the Public Works Director

that Ward 1 projects are progressing.

Alderman Authement said 6 Mulberry Place received a letter from their insurance company that their insurance would be dropped if a tree was not removed before the next Board meeting. The Building Official concurred that the tree should be allowed to be removed. A motion was made by Alderman Authement, seconded by Alderman Papania, and unanimously carried to approve the removal of a Live Oak at 6 Mulberry Place.

Alderman Cox said that Singing River Electric Power has recommended seven lights to be added to Trentwood Subdivision for a cost of \$175 per light for installment. A motion was made by Alderman Cox, seconded by Alderman Impey, and unanimously carried to authorization to install seven lights and add to the electric power bill for Trentwood Subdivision.

Alderman Blackman discussed the Government Street sidewalk near the Park Overpass with Public Works.

Alderman Impey said the Fire Department received a \$43,378 grant for the 2022 Assistance to Firefighters Grant awarded on July 25, 2023. He said the grant requires a five percent match of \$2,303.72 which will be funded by the Fire Training Budget. A motion was made by Alderman Impey, seconded by Alderman Cox, and unanimously carried to authorize to accept the 2022 Assistance to Firefighters Grant.

The Mayor said Jackson County has rejected the request for assistance to the Deana Road Project. He requested the Aldermen consider giving their Ward's milling funds to fund the Deana Road Project and postpone milling until next year. Alderman Impey requested the Board give consideration to completing the needed Deana Road Project.

EXECUTIVE SESSION

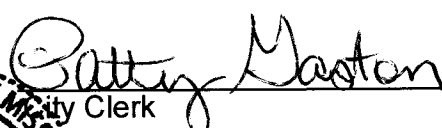
None.

RECESS UNTIL 6:00 P.M. on August 15, 2023

A motion was made by Alderman Authement, seconded by Alderman Cox, and unanimously carried to recess/adjourn the meeting until 6:00 p.m. on August 15, 2023.

The meeting ended at 7:11 p.m.


Mayor


City Clerk

Date



August 1, 2023 - REGULAR MEETING Minutes