

REGULAR MEETING OF FEBRUARY 7, 2023

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 February 7, 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 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 Executive Assistant to the Mayor & Board Ravin Nettles.

The Mayor called the meeting to order.

Parks & Recreation Director Stephen Glorioso gave the invocation and Alderman Burgess led the Pledge of Allegiance.

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

PROCLAMATIONS/PRESENTATION

The Mayor presented a proclamation commending Street Department Supervisor Lloyd Helveston upon his retirement for his 21 years of service to the City of Ocean Springs Public Works Department (Exhibit 3-a).

The Mayor read a proclamation for Arbor Day on February 11, 2023 (Exhibit 3-b).

Hoppy Allred with Allred Stolarski Architects gave an update on the design of the roof structure that will be built over the stage at Fort Maurepas Park (Exhibit 3-c). He said the structure would be a sloping cover with the footers off the stage which will be aesthetically similar to the current Fort Maurepas pavilion and the planned marina.

PUBLIC HEARING

4-a) A motion was made by Alderman Authement, seconded by Alderman Blackman, and unanimously carried to open the Public Hearing regarding 2003 Government Street PID #61058010.000 through 61058019.000 requests to approve a zoning change from RM-2 (Multifamily Residential District) to CMX-2 (Community Commercial/Mixed Use District) (Exhibit 4-a).

The Planning & Grants Administrator explained there are two properties on Government Street that the developer would like to maintain the residential element but also allow for commercial which would be more fitting to the neighborhood.

No public input.

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

A motion was made by Alderman Wade and seconded by Alderman Authement to adopt the Ordinance approving the zoning change from RM-2 to CMX-2 at 2003 Government Street #61058010.000 through 61058019.000 (Ordinance 2023-01). The motion carries with a roll call vote as follows:

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

4-b) A motion was made by Alderman Authement, seconded by Alderman Blackman, and unanimously carried to open the Public Hearing regarding 2207 Government Street PID #61058020.000 through 61058050.000 requests to approve a zoning change from RM-2 (Multifamily Residential District) to CMX-2 (Community Commercial/Mixed Use District) (Exhibit 4-b).

The Planning & Grants Administrator said that this is the same situation as the previous item. The developer would like to maintain the residential element but also allow for commercial which would be more fitting to the neighborhood.

No public input.

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

A motion was made by Alderman Wade and seconded by Alderman Authement to adopt the Ordinance approving the zoning change from RM-2 to CMX-2 at 2207 Government Street PID #61058020.000 through 61058050.000 (Ordinance 2023-02). The motion carries with a roll call vote as follows:

Alderman Burgess	Aye
Alderman Authement	Aye
Alderman Wade	Aye
Alderman Papania	Aye

Alderman Blackman	Aye
Alderman Impey	Aye
Alderman Cox	Aye

AGENDA PUBLIC COMMENT

Merit Johnson spoke to address a non-agenda item and the Mayor instructed him to wait until General Public Comment.

OLD BUSINESS

None.

NEW BUSINESS

The Planning & Grants Administrator explained the appeal of the Building Official and Community Development and Planning Department determination regarding commercial activity in a PUB Public Zoning District – Food, Booze, and Hiccups and Belly-Up Beach Chairs (Exhibit 7-a).

The Planning & Grants Administrator said a cease-and-desist letter was sent to Mr. Paoletti by the Building Official prohibiting commercial activities on the beach which is zoned Public. She said the issue is the advertised use of the beach as the business site where the services are provided for both Belly-up Beach Chairs and Food, Booze, and Hiccups. She said the Zoning & Adjustment Board did a review and voted to uphold the order.

Mr. Paoletti provided a packet of information to the Board of Aldermen and the Mayor. He said they do not have advertisements or signage on the beach. He stated that there are other businesses that utilize the beach for business such as beach photography and they are the only business that has received a cease and desist to his knowledge.

The Planning & Grants Administrator countered that the other businesses do not advertise the beach as their business site. She explained that the difference is an individual contacting a caterer or a photographer for an event they are having on the beach versus the business advertising they are providing an event on the beach which individuals can reserve.

The Building Official said the other businesses mentioned by Mr. Paoletti were not advertising Ocean Springs Beach as their business site on their Facebook pages, unlike

Mr. Paoletti's businesses which were advertising the Ocean Springs Beach as the business site. He added, Mr. Paoletti has complied with the cease-and-desist order.

The City Attorney said there was a finding by the Building Official and Community Development and Planning Department that the Ordinance was being violated by activities that were going on at the time. He said going forward if the cease-and-desist order is violated again, not only would the Ordinance be violated but also the order.

Alderman Authement clarified that Mr. Paoletti's businesses have not been singled out, other businesses have also been removed from the beach.

Alderman Cox requested a work session to work out the situation so that the services are made available to the public.

No action was taken.

The Mayor presented an Ordinance for adoption - an amendment to the Code of Ordinances, Zoning, and Subdivisions; to revise Chapter 4.5 to add Article IV – Parades Section 4.5-147 through 4.5-151 (Exhibit 7-b). The Police Chief said with the barricades available for parades, the Police Department needs to be able to enforce a barricade violation. Alderman Burgess requested sections 4.5-150 regarding animals and reptiles be removed from the ordinance. Alderman Impey disagreed and said it is needed in the ordinance. A motion was made by Alderman Burgess and seconded by Alderman Authement to adopt an amendment to the Code of Ordinances, Zoning, and Subdivisions; to revise Chapter 4.5 to add Article IV – Parades Section 4.5-147 through 4.5-151 changing section 4.5-150 removing "or other permitted public event" and "site of the public event". (Ordinance 2023-03) The motion carries with a roll call vote as follows:

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

CONSENT AGENDA

A motion was made by Alderman Authement, seconded by Alderman Blackman, and unanimously carried to approve the consent agenda.

- a. Accept the January 2023 Aged Receivable Report for utility billing (Exhibit 8-a)
- b. Approve Minutes: Recess Meeting January 17, 2023 (Exhibit 8-b)

- c. Approve Minutes: Special Called Meeting January 23, 2023 (Exhibit 8-c)
- d. Authorize updates to the adopted fee schedule (Exhibit 8-d)
- e. Accept Tristan Armer's resignation from the Civil Service Commission and authorize to advertise to fill the vacancy (Exhibit 8-e)
- f. Approve Minutes: January 18, 2023 (Exhibit 8-f)
- g. Authorize verbiage changes to the employee handbook Section 17: Time, Attendance & Comp/Overtime Policies regarding the hour threshold for overtime for Police (Exhibit 8-g)
- h. Human Resources action items (Exhibit 8-h):
 - a) Authorize removal of Charles Davis from probationary status to full-time status effective immediately
 - b) Accept the resignation of Part-Time Police Officer Avery McClellon, effective January 23, 2023; authorize to begin the process of filling the vacant position
 - c) Accept the resignation of Firefighter David Wright, effective January 29, 2023; authorize to begin the process of filling the vacant position
 - d) Accept the resignation of Firefighter Jefferson Broadus, effective February 9, 2023; authorize to begin the process of filling the vacant position
 - e) Authorize promotion of Firefighter William Hatten to Lieutenant, Step 1, \$15.90 hourly rate; effective February 18, 2023; six months probationary status
 - f) Authorize employment of Jim Underwood, Water Laborer, Step 5, \$14.50 hourly rate; effective February 8, 2023; one-year probationary status, pending successful completion of all pre-employment requirements
 - g) Authorize employment of Dyllan Lambert, Beautification Laborer, Step 1, \$12.36 hourly rate; effective February 8, 2023; one-year probationary status, pending successful completion of all pre-employment requirements
 - h) Authorize the transfer of Electrician William Ziz from Public Works to Parks Maintenance effective February 20, 2023, per the recommendation of the Human Resources Committee
 - i) Authorize the revision of one of the Parks Maintenance Laborer A positions to Parks Maintenance Assistant Supervisor and post the position internally per the recommendation of the Human Resources Committee
 - j) Accept the resignation of Parks Maintenance Laborer Michael Rodriquez, effective February 7, 2023; authorize to begin the process of filling the vacant position
 - k) Authorize employment of Yahaira Gibson, Custodian, Step 2, \$12.21 hourly rate; effective February 8, 2023; one-year

- i. Intersection Studies MDOT TIP STP-0003-01(217) LPA/1092052-71100 – Authorize the Mayor to execute the contract with Michael Baker International pending MDOT concurrence (Exhibit 8-i)
- j. East Side Sewer Diversion Project – ARPA MCWI MDEQ Agreement #108-1-CW-5.5 – Authorize the Mayor to execute the sub-award agreement as presented (Exhibit 8-j)
- k. Downtown Sewer Rehabilitation Project – ARPA MCWI MDEQ Agreement #455-1-CW-5.5 – Authorize the Mayor to execute the sub-award agreement as presented (Exhibit 8-k)
- l. Accept Code Enforcement Report through February 1, 2023 (Exhibit 8-l)
- m. Accept Tree Department Recommendations – Tree Applications through January 27, 2023 (Exhibit 8-m)
- n. Adopt a Resolution to sell surplus personal property with a value less than \$1,000.00 (Exhibit 8-n)
- o. Accept January 2023 Grease Trap Inspection Report (Exhibit 8-o)

Item 8-l was pulled to continue the discussion from Agenda Public Comment. The Building Official said when he conducted his onsite inspection at 139 Watersedge Drive the insurance report was not available and he did not see a foundation issue caused by the trees. Alderman Papania asked if the limbs on the tree closest to the structure were cut back, would the insurance then provide coverage. The homeowner replied he had not inquired. Alderman Papania requested the homeowner file an appeal and separate both clusters of trees on the new application. The homeowner agreed to file an appeal with the insurance documentation. A motion was made by Alderman Impey, seconded by Alderman Authement, and unanimously carried to accept item 8-l: Accept Tree Department Recommendations – Tree Applications through December 27, 2022 (Exhibit 8-l).

DEPARTMENT REPORTS

City Clerk:

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 (Exhibit 9-a).

A motion was made by Alderman Impey, seconded by Alderman Wade, and unanimously carried to approve the monthly budget report (Exhibit 9-b).

GENERAL PUBLIC COMMENT

Merit Johnson spoke against the traffic cameras and the no-insurance ticketing. He requested the cameras be removed from Ocean Springs.

Terry Reynolds spoke against the traffic cameras and the no-insurance ticketing. He requested an apology from the Police Department, Mayor, and Board.

Linda Williams requested an update on the Parktown Drainage Project. The Project Manager replied that the Groveland Ditch and the Highway 90 Ditch (near Walmart and Zaxby's) is complete. The Cemetery Ditch is currently in process and near completion. With storm drain it is a wait and see, the ditches were cleaned and rocked, now we have to wait till the next rain event. She said at the next major rain event, she would go to Parktown Subdivision to observe any flooding.

Michael Paoletti said he would like to work with the City and would remove "Ocean Springs Beach" from all advertising, their website, and their Facebook pages tonight.

MAYOR & ALDERMAN'S FORUM

Alderman Burgess asked for the status of the hospital crosswalk. The Project Manager said the Jackson County Board of Supervisors approved it last week. Alderman Burgess asked for the status of getting an ADA swing in John Gill Park. The Parks & Recreation Director replied he is working on getting one for every park and John Gill Park is at the top of the list.

A motion was made by Alderman Authement, seconded by Alderman Impey, and unanimously carried to appoint Owen White to the Historic Preservation Commission to complete the vacant position, term ending July 31, 2026.

Alderman Wade thanked Public Works, the Police Department, and the Fire Department for their hard work during the day Mardi Gras Parade on Saturday.

Alderman Cox asked about replacing the feet of the barricades to a T rather than a horseshoe design. The Mayor said there was a discussion that the T design would become a trip hazard when set in the gutter. Alderman Cox disagreed and said they would not be set in the gutter. He said the Board stipulated the barricades have the T feet and it was an expensive mistake. He requested as they are replaced, they are replaced with T feet. He then apologized to Mr. Reynolds for the hardship caused by the insurance ticketing when he had insurance.

Alderman Papania thanked the Public Works Director for the barrier in Stark Bayou.

A motion was made by Alderman Impey, seconded by Alderman Cox, and unanimously carried to authorize to hire Bryan Yates, Firefighter, with a tentative start date of

Sunday, February 19, 2023, \$14.77 hourly rate, one-year probationary status, pending completion of all pre-employment requirements (Exhibit 11-a).

A motion was made by Alderman Impey, seconded by Alderman Cox, and unanimously carried to authorize the \$39,472.13 payment #4 to Coast Development and Construction for the Parktown Drainage Project.

The Mayor requested the Board go to Planning Office to review the Urban Renewal Map so that it can be on the next agenda. He said Jackson County has \$1.3 M allotted for paving in Ocean Springs and the City has additional funds for milling. He again requested that the Board provide an updated list with priority and milling needs. He said the barricades worked well during the day parade, but they were put out too early. He said the barricades will be placed Friday morning for the Friday night parade.

EXECUTIVE SESSION

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

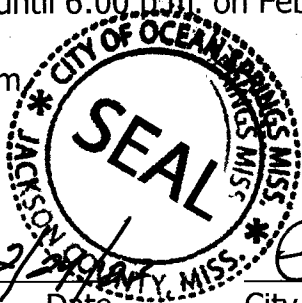
The City Clerk returned to the meeting and announced that a motion was made by Alderman Cox, seconded by Alderman Wade, and unanimously carried to remain in executive session to discuss personnel in the Mayor's Office.

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 Impey, seconded by Alderman Papania, and unanimously carried to change the title of employee #2084 to Admin & Community Relations Coordinator and increase the salary to \$50,481.60 at the beginning of the next pay period.

A motion was made by Alderman Impey, seconded by Alderman Wade, and unanimously carried to recess the meeting until 6:00 p.m. on February 22, 2023.

The meeting ended at 7:38 p.m.



Mayor

Date

City Clerk

Date