

REGULAR MEETING OF AUGUST 2, 2022

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 2, 2022. 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, Human Resource & Risk Management Mindy McDowell, Public Works Assistant Director Candice Hooks, Planning & Grants Administrator Carolyn Martin, Parks & Recreation Director Stephen Glorioso, and Project Manager Sarah Harris.

The Mayor called the meeting to order.

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

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

PROCLAMATION & KEY TO THE CITY

The Mayor proclaimed Lost Brewing Company's 1699 Pale Ale as the City's official Pale Ale Beer (Exhibit 3-a).

The Mayor presented Mitch Murrell with a key to the City for his efforts on the Ole Miss Baseball Team that won the 2022 College World Series in Omaha, Nebraska.

PUBLIC HEARING

A motion was made by Alderman Authement, seconded by Alderman Cox, and unanimously carried to open the public hearing regarding 320 Jackson Avenue PID 600137416.000 (First Presbyterian Church) request for a Conditional Use Permit (CUP) to allow church-related offices in the R-1, low-density, single-family residential district (Exhibit 4-a).

The Planning & Grants Administrator explained the First Presbyterian Church would like to use a structure across from their parking lot that is zoned R-1 but they would like to use it for church offices with limited use. She said the Planning Commission recommends approval with the following conditions: the CUP does not transfer ownership should the church sell the property it will revert to a single-family dwelling, and the building is to be used for church administrative purposes only.

No public comment for or against.

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 Authement, seconded by Alderman Blackman, and unanimously carried to approve the Conditional Use Permit at 320 Jackson Avenue PID 600137416.000 (First Presbyterian Church) to allow church-related offices in the R-1, low-density, single-family residential district with the conditions recommended by Planning Commission.

AGENDA PUBLIC COMMENT

None.

OLD BUSINESS

None.

NEW BUSINESS

Neil Polen with Dale Partners Architects presented the final study document for the Downtown OS Traffic/Travel/Parking Study STP-0357-00(020)/LPA 107466-711000 (Exhibit 7-a). He said the study, primarily focusing on parking, congestion, and circulation within the downtown core and Porter Avenue, is intended to illustrate those challenges with concise data that will influence decision-making in the future. Funded by the State Transportation Improvement Plan (STIP) through MDOT and Gulf Regional Planning Commission (GRPC), this report reflects a comprehensive study undertaken by Dale Partners Architects. The study is broken into two parts: Part 1 – Inventory and Analysis and Part 2 – Conceptual Proposals. The document will be used to evaluate potential improvements to be considered for implementation and funding requests. A motion was made by Alderman Impey, seconded by Alderman Authement, and unanimously carried to accept the Downtown OS Traffic/Travel/Parking Study STP-0357-00(020)/LPA 107466-711000 final study document.

CONSENT AGENDA

A motion was made by Alderman Cox, seconded by Alderman Authement, and unanimously carried to approve the consent agenda except item 8-b pulled by Alderman

Blackman, item 8-o-c pulled by Alderman Impey, item 8-t pulled by Alderman Wade, and item 8-dd pulled by Alderman Authement.

- a. Approve City Sponsorship of the 2022 Artwalk on September 3, 2022, the event will promote and advertise the City in exchange for barricade and trashcan use (Exhibit 8-a)
- b. Approve the Special Event Permit Application for the End of Summer BBQ Cookoff and Concert in the Park on September 24, 2022, from noon until 6:00 p.m.; War Memorial Park – OS Civic Center, Authorize to waive the \$600.00 Civic Center rental fee (Exhibit 8-b)
- c. Approve City Sponsorship of the 2022 United Way Kick-off Breakfast on September 29, 2022, at the Community Center and WAMA, the event will promote and advertise the City in exchange for the use of the City logo (Exhibit 8-c)
- d. Approve the Special Event Permit Application for 2022 Cruisin' the Coast from Thursday, October 6, 2022, through Saturday, October 8, 2022, from 7:00 a.m. until 7:00 p.m. Thursday and Saturday and 7:00 a.m. until 11:00 p.m. Friday; Downtown Ocean Springs, there will be overtime cost to the City (Exhibit 8-d)
- e. Approve the Run/Walk/Bike Permit Application for the Rotary Club of OS 14th annual 5K on Saturday, October 15, 2022, from 5:00 p.m. until 9:00 p.m.; Rotary 5 K route, no cost to the City, the applicant pays associated event cost (Exhibit 8-e)
- f. Approve the Special Event Permit Application for the Witches Ride of Ocean Springs on Saturday, October 29, 2022, from 4:00 p.m. until 10:00 p.m.; Downtown Ocean Springs, no cost to the City, the applicant pays associated event cost (Exhibit 8-f)
- g. Approve the Special Event Permit Application for the 44th Annual Peter Anderson Arts & Crafts Festival from Saturday, November 5, 2022, through Sunday, November 6, 2022, from 9:00 a.m. until 5:00 p.m. daily; Downtown Ocean Springs, there will be overtime cost to the City (Exhibit 8-g)
- h. Approve the Special Event Permit Application for WAMA's Silent Night on Saturday, December 3, 2022, from 5:00 p.m. until midnight; Washington Avenue at WAMA, no cost to the City, the applicant pays associated event cost (Exhibit 8-h)
- i. Accept the July 2022 Aged Receivable Report for utility billing (Exhibit 8-i)
- j. Approve Minutes: Regular Meeting July 5, 2022 (Exhibit 8-j)
- k. Approve Minutes: Special Call Meeting July 7, 2022 (Exhibit 8-k)
- l. Approve Minutes: Recess Meeting July 19, 2022 (Exhibit 8-l)
- m. Approve Minutes: Special Call Meeting July 26, 2022 (Exhibit 8-m)
- n. Authorize the City Clerk to execute a 36-month contract with Uniti Fiber with a monthly total cost of \$2,848.00 (Exhibit 8-n)
- o. Human Resources action items (Exhibit 8-o):

- a) Authorize removal of Utility Billing Supervisor Marissa Jones from probationary status to full-time status effective August 11, 2022
- b) Accept the resignation of Patrol Officer Maria Lopez, effective August 12, 2022; authorize to begin the process of filling the vacant position
- c) Authorize promotion of Deputy Court Clerk I James Martin to Deputy Court Clerk II, Step 4, \$14.89 hourly rate, effective August 13, 2022, six-month probationary status; authorize to begin the process of filling the vacant position
- d) Authorize removal of Lieutenant Tristan Garriga from probationary status to full-time status effective immediately
- e) Authorize promotion of Lieutenant Jacob Jones to Battalion Chief, Step 1, \$19.48 hourly rate, effective August 6, 2022, six-month probationary status; authorize to begin the process of filling the vacant position
- f) Authorize promotion of Firefighters Taylor Kendrick, Samantha Guthrie, and Jefferson Broadus to Lieutenant, Step 1, \$15.90 hourly rate, effective August 6, 2022, six-month probationary status; authorize to begin the process of filling the vacant position
- g) Authorize removal of Parks Maintenance Worker Steven Stratton from probationary status to full-time status effective August 3, 2022
- h) Authorize addition of position (approved by Human Resources and Finance Committees) and employment of Gary Cooper, Parks Maintenance Laborer A, Step 1, \$14.31 hourly rate; effective August 3, 2022; one-year probationary status, pending successful completion of all pre-employment requirements
- i) Authorize employment of Ethan Ewing and Cornelius Nettles, Drainage Laborers, Step 1, \$12.88 hourly rate; effective August 3, 2022; one-year probationary status, pending successful completion of all pre-employment requirements
- j) Accept the resignation of Sewer Laborer Mark Hawkins, effective July 19, 2022; authorize to begin the process of filling the vacant position
- p. Approve the application for Residential Short-term Rental (STR) permit at 315 Pine Drive PID #61455015.050; Planning Commission recommends approval (Exhibit 8-p)
- q. Approve the application for Residential Short-term Rental (STR) permit at 409 East Beach Drive PID #60132310.000; Planning Commission recommends approval (Exhibit 8-q)
- r. Approve the application for Residential Short-term Rental (STR) permit at 1208 Bowen Avenue PID #61190012.000; Planning Commission recommends approval (Exhibit 8-r)

- s. Approve the application for Residential Short-term Rental (STR) permit at 809 General Pershing Avenue PID #60119392.000; Planning Commission recommends approval (Exhibit 8-s)
- t. Approve the application for Residential Short-term Rental (STR) permit at 104 Keri Cove PID #61037401.000; Planning Commission recommends approval (Exhibit 8-t)
- u. Approve the application for Residential Short-term Rental (STR) permit at 428 Holly Street PID #61037317.000; Planning Commission recommends approval (Exhibit 8-u)
- v. Approve the application for a Lot Split to create two parcels at 3074 Government Street PID 60128041.000 (Exhibit 8-v)
- w. Authorize the Mayor to execute the Professional Services Agreement with Cypress Environment & Infrastructure for 400 Front Beach Drive phase 1 engineering and design services – GOMESA – MSDMR Front Beach Public Access (Exhibit 8-w)
- x. Authorize to submit MDOT Permit Application for the Deana Road Improvement Project (Exhibit 8-x)
- y. Authorize concurrence to utilize bond funds for CIPP Lining on Hanley Road at Government Street – MS SB 3065 and/or MS HB 1730 (Exhibit 8-y)
- z. Accept Code Enforcement Report through July 28, 2022 (Exhibit 8-z)
- aa. Accept Tree Department Recommendations – Tree Applications through July 25, 2022 (Exhibit 8-aa)
- bb. Authorize the transfer of 2007 Ford F-150 Unit #PW30 VIN FA29532 to the Parks & Recreation Department (Exhibit 8-bb)
- cc. Adopt Resolution to sell surplus property/scrap metal with a value less than \$1,000.00 (Exhibit 8-cc)
- dd. Accept Quarterly Grease Trap Report for August 2022 (Exhibit 8-dd)

A motion was made by Alderman Blackman, seconded by Alderman Authement, and unanimously carried to approve the Special Event Permit Application for the Wounded Warriors In Action Foundation's End of Summer BBQ Cookoff and Concert in the Park on September 24, 2022, from noon until 6:00 p.m.; War Memorial Park – OS Civic Center, authorize to waive the \$600.00 Civic Center rental fee and approve City sponsorship, the event will promote and advertise City resources (Exhibit 8-b).

A motion was made by Alderman Impey, seconded by Alderman Blackman, and unanimously carried to authorize the promotion of Deputy Court Clerk I James Martin to Deputy Court Clerk II, Step 4, \$14.89 hourly rate, effective August 6, 2022, six-month probationary status; authorize to begin the process of filling the vacant position (Exhibit 8-o-c)

Alderman Wade pulled item 8-t a permit application for Residential Short-term Rental (STR) permit at 104 Keri Cove PID #61037401.000 and asked the City Attorney to address it. The City Attorney said the property is in a neighborhood with restrictive

covenants that disallow by intent STR's which runs with the land and are enforceable. The Planning & Grants Administrator said the City's ordinance requires an active Homeowners Association (HOA) with restrictive covenants. The City Attorney replied the covenants are contracts with the land and are not dependent on an HOA and the City's ordinance cannot override the restrictive covenants. A motion was made by Alderman Wade and seconded by Alderman Cox to deny the permit application for Residential Short-term Rental (STR) permit at 104 Keri Cove PID #61037401.000 (Exhibit 8-t). The motion carries with Aldermen Burgess, Wade, Cox, Papania, Blackman, and Impey voting aye; and Alderman Authement voting nay.

Alderman Authement requested a reinspection fee be added to the fee schedule for grease trap inspections. A motion was made by Alderman Authement, seconded by Alderman Cox, and unanimously carried to accept the Quarterly Grease Trap Report for August 2022 (Exhibit 8-dd).

DEPARTMENT REPORTS

City Clerk:

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

GENERAL PUBLIC COMMENT

Lad Chandler presented a petition with 45 signatures supporting the existence of wildlife in Stark Bayou Subdivision. He requested the Board consider designating Stark Bayou Subdivision or the entire City a sanctuary for wild roosters and hens similar to the City's status of cats.

Katie Yow thanked the Mayor for cleaning the cemetery ditch near Parktown. She requested the ditches and culverts between Parktown Subdivision and Walmart be cleared. She said she is losing her driveway due to broken culverts that she thinks the City is responsible for the repair. She asked if Alderman Impey has been out to Parktown Subdivision and if he has an update. Alderman Impey said there is a drainage project specifically for Parktown Subdivision that must be rebid.

Robert Brown said he recently purchased his home at 104 Linwood Cove. He said sinkholes have recently developed due to right of way with an abandoned water line not

disclosed on the deed. The City Attorney said that the previous owner settled with the City in 2008 and released the City from any future claim, as the issue has been paid by the City to repair. Mr. Brown asked how he should proceed. Alderman Authement suggested it would be a disclosure issue with the previous owner, not a City issue. The Mayor said he will meet with Aldermen Cox, Blackman, and the City Attorney to further discuss.

MAYOR & ALDERMAN'S FORUM

Alderman Cox requested streetlights on Parliament Drive be addressed by Mississippi Power. The Project Manager responded she has been in contact and the area with the issue needs to be rebored. He then asked for an update on the Shearwater Bridge lights. The Mayor said lights removed from Downtown will be transferred to the bridge and they will be placed by Weaver Electric. Alderman Cox requested the Short-Term Rental Ordinance be reviewed and amended to exclude "active HOA" and suggested a work session.

Alderman Papania seconded the request for review of the Short-Term Rental Ordinance. He informed all he will add a solar-powered radar speed sign on Halstead Road which will cost approximately \$2,800 and will be funded from his ward funds.

Alderman Impey thanked all that helped and participated in the Merchant Marine Memorial plaque ceremony honoring WWII Merchant Marine Harmon Donald Young. He said Mr. Young and his family also sent their thanks to the City.

The Mayor said the trip to Neshoba County Fair was successful and the City was well represented.

EXECUTIVE SESSION

A motion was made by Alderman Authement, seconded by Alderman Blackman, 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 Blackman, and unanimously carried to remain in executive session to discuss personnel in the Parks & Recreation Department and potential litigation.

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 Burgess, and unanimously carried to suspend Employee #2434 for one week without pay and place them on a six-month probationary period

A motion was made by Alderman Impey, seconded by Alderman Blackman, and unanimously carried to recess the meeting until 6:00 p.m. on August 16, 2022.

Meeting ended at 10:15 p.m.

 8/16/2022
Mayor Date

 8/16/2022
City Clerk Date

