

CITY OF OCEAN SPRINGS - MAYOR & BOARD OF ALDERMEN REGULAR MEETING - FEBRUARY 4, 2025 MINUTES

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 at 6:00 p.m. on February 4, 2025. Mayor Holloway presided, and Aldermen Burgess, Authement, Wade, Cox, Papania, Blackman, and Impey were present. City Attorney Will Norman, City Clerk Patty Gaston, Deputy City Clerk Vicky Hupe, Police Deputy Chief Steven Dye, Interim Fire Chief Chris Hupe, Building Official Darrell Stringfellow, Public Works Director Allan Ladnier, Human Resources & Risk Management Director Mindy McDowell, Grants Administrator Carolyn Martin, Interim Community Development & Planning Director Wade Morgan, Parks & Recreation Director Stephen Glorioso, Project Manager Sarah Harris, Mary C. O'Keefe Center Director Sarah Qarqish, and Admin & Community Relations Coordinator Ravin Nettles were also present.

The Mayor called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

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

PROCLAMATIONS/PRESENTATION

- a. Ocean Springs Lumber 100th Anniversary

Fred Moran accepted the Proclamation and Key to the City. The Mayor declared February 4, 2025, Ocean Springs Lumber Day.

- b. Arbor Day 2025

The Mayor declared February 14, 2025 Arbor Day.

- c. Arts Week - February 3-7, 2025

The Arts & Cultural Director accepted the Proclamation.

- d. **ADDED:** Update Report from the Republican Executive Committee - Jon Rivera
Republican Executive Committee Chairman Jon Rivera addressed the Board regarding the qualification process and the committee's responsibilities for the primary election. Mr. Rivera explained that Mississippi state law does not specify the method for conducting candidate security and background (felony) checks, leaving it to the

committee's discretion. He stated that, for decades, the committee has relied on the City Clerk's Office and the Police Department to assist with these background checks, a practice also followed by most cities in Mississippi. He further noted that the Police Department requires candidates to sign a privacy release form for such checks. However, Mr. Rivera announced that the committee has decided to discontinue the use of the Police Department for background checks. Moving forward, the committee will utilize alternative methods, including open-source databases, the Statewide Election Management System (SEMS), and county records, to fulfill their qualification duties.

The City Attorney presented a letter from E. Brian Rose, which was received by the Board of Aldermen and the City on December 10, 2024. The letter serves as a notice to preserve evidence in anticipation of pending litigation, directed at City Clerk Patty Gaston, in both her professional and personal capacity. The City Attorney requested a motion to enter the letter into the minutes. A motion was made by Alderman Papania, seconded by Alderman Impey, and unanimously carried to accept E. Brian Rose's letter dated December 10, 2024, into the minutes.

PUBLIC HEARINGS

- a. Approve a Preliminary Plat for a major commercial subdivision plat 3419 Bienville Blvd PIDN: 690127491.050; the property is zoned CH - Regional Commercial; PC recommends approval

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

The Interim Community Development Director explained that this property is located on Highway 90, on the site of the former Twin Pines Motel and Trailer Park, extending to Groveland Road. He stated that the development will consist of four lots, with the two closest to Highway 90 planned for a Chipotle restaurant and a Chick-fil-A restaurant.

No public input.

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

A motion was made by Alderman Blackman, seconded by Alderman Papania, and unanimously carried to approve the Preliminary Plat for a major commercial subdivision plat 3419 Bienville Blvd PIDN: 690127491.050.

AGENDA PUBLIC COMMENT

Agenda items 6 a & b - William Betterton, Paul Moore, Rod Fields spoke in favor of reducing the speed limit of Ocean Springs Road to 25 mph and spoke in favor of allowing golf carts on Ocean Springs Road.

OLD BUSINESS

- a. Ordinance Adoption: An Amendment the Code of Ordinances to Revise Chapter 14 Article 1 Section 14-10 regarding the speed limit on Ocean Springs Road from its intersection with U.S. Highway 90 North to its intersection with Deana Road

A motion was made by Alderman Burgess and seconded by Alderman Authement to adopt an Ordinance (ORD 2025-01) an Amendment the Code of Ordinances to Revise Chapter 14 Article 1 Section 14-10 regarding the speed limit on Ocean Springs Road from its intersection with U.S. Highway 90 North to its intersection with Deana Road.

The motion carried with a roll call vote as follows:

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

Nay: None

- b. Ordinance Adoption: An Amendment to the Code of Ordinances, Chapter 14, Article V, Section 14-127, to prohibit golf carts from operating on Ocean Spring Road

A motion was made by Alderman Impey, seconded by Alderman Papania, and unanimously carried to table the Ordinance.

A motion was made by Alderman Cox, seconded by Alderman Wade, and unanimously approved to install two illuminated radar speed limit caution signs on Ocean Springs Road, traveling south, the cost will be funded from ending cash, with the exact location to be determined.

- c. Approve a Final plat for Harper Grove Subdivision for a 30-unit townhome development; PC Recommends Approval

The City Attorney said the developer provided all the required material that was causing the previous hold up. A motion was made by Alderman Blackman, seconded by Alderman Authement, and unanimously carried to approve the final plat for Harper Grove Subdivision for a 30-unit townhome development.

- d. Appoint OSSD School Board Member; five-year term

A motion was made by Alderman Wade, seconded by Alderman Impey, and unanimously carried to appoint Greg Denyer to the OSSD School Board for a five-year term.

NEW BUSINESS

- a. Adopt a Resolution Declaring Support for the Preservation of the Federal Tax Exemption of Municipal Bonds

A motion was made by Alderman Papania and seconded by Alderman Blackman to adopt a Resolution Declaring Support for the Preservation of the Federal Tax Exemption of Municipal Bonds. The motion carried with a roll call vote as follows:

Aye: Alderman Burgess, Alderman Authement, Alderman Papania, Alderman Blackman, Alderman Impey, Alderman Cox, Alderman Wade
Nay: None

CONSENT AGENDA

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

Mayor/BOA:

- a. Authorize an \$1,819.00 payment from Ward 6 funds for brick column repair at the neighborhood entrance for Trentwood Property Owners Association
- b. Authorize waiving the rental fee of the Ocean Springs Civic Center for the American Red Cross 2025 Blood Drives from 10:00 a.m. - 2:00 p.m. on February 6, April 14, July 23, August 28, and September 23; to advertise the resources of the City
- c. Adopt Resolution Terminating the Existence of the Local Emergency due to Winter Storm 2025
- d. **ADDED:** Authorize a \$1,000.00 payment from Ward 5 funds to Bienville Place Owners Association to assist with landscaping and lighting updates at entrances

City Clerk:

- e. Approve Minutes: Recess Meeting January 21, 2025
- f. Accept the January 2025 Aged Receivables for Utility Billing
- g. **ADDED:** Authorize the City Clerk to execute the Election Systems & Software Support Agreement
- h. **ADDED:** Authorize the City Clerk to execute the Municipal Election Contract with the Jackson County Election Commission

Police Department:

- i. Authorize Out-of-State Travel for Professional Training - Employee #2396, September 07-12, 2025, Gainesville, GA - Ballistic Shield Instructor Course

Human Resources/Risk Management:

- j. Authorize the loan of the Trailer McQuilkin sculptures entitled 'Mississippi Pine Lily' and 'Seed Box' to the Walter Anderson Museum of Art
- k. Authorize removal of Building Office Administrator Rachel Johnson from probationary status to full time status effective immediately
- l. Accept resignation of Firefighter Haskell Allen, effective February 11, 2025; authorize to begin the process of filling the vacant position

- m. Authorize employment of Myikel Marks, Parks Grounds Maintenance, Step 2, \$14.42 hourly rate; effective February 10, 2025; one-year probationary status, pending successful completion of all pre-employment requirements

Planning Commission (PC):

- n. Approve a Lot Split for 209 Dewey Avenue/PIDN:60137474.000 - Contingent on Approval of Variance; PC recommends Approval
- o. Approve a Short-Term Rental Permit at 1712 Carpenter Avenue/ PIDN: 61220023.000; the PC recommends approval

Zoning Adjustment Board (ZAB):

- p. Approve a Variance to the Minimum Lot Width for 209 Dewey Avenue/PIDN:60137474.000; ZAB recommends Approval

Historic Preservation Commission (HPC):

- q. Approve a Certificate of Appropriateness (COA) for demolishing the existing addition located in the rear of the house and adding an extension - 1406 Bowen Ave/PIDN: 60137132.000; HPC Recommends Approval
- r. Approve a COA to replace the existing front porch, steps, and railings – 706 Porter Ave/PIDN: 60137616.000; HPC Recommends Approval

Grants Administration:

- s. Authorize Execution of Amendment #1 for Contract with Fenstermaker for Engineering Services – American Rescue Plan Act (ARPA) / MS Municipality and County Water Infrastructure Grant (MCWI) – MDEQ Agreement #470: Storm Drain Ditches
- t. Authorize Award for Construction – Front Beach Sidewalk Improvements Phase III – Jackson County / GOMESA Funding to Busby Construction in the amount of \$563,593.70
- u. Authorization to Reject Received Bids and to Re-advertise Construction: Public Works Facilities Construction – RESTORE / Gulf Coast Restoration Fund (GCRF)
- v. Authorize Award for the FORT BAYOU STORM DRAIN IMPROVEMENTS project – American Rescue Plan Act (ARPA) / MS Municipality and County Water Infrastructure Grant (MCWI) – MDEQ Agreement # 127-2-CW-5.6 – Lane Construction Co., Inc. in the amount of \$3,138,909.50
- w. Authorization to Execute Contract with Overstreet & Associates, PLLC for GIS Mapping, Phase II – Total Cost of \$150,000 – MS SB 2468
- x. Authorize Award for Construction – Washington Avenue Utility Improvements / Front Beach Drive to Lafontaine Avenue – Tidelands and GOMESA Funding – Award to Bottom 2 Top Construction, LLC in the amount of \$514,545.37

Building Department:

- y. Accept Code Enforcement Report through January 30, 2025

Parks & Recreation Department:

- z. Authorize to waive the fees for Ocean Springs High School JROTC to use the Civic Center on April 17, 2025
- aa. Approve Facility Use Agreement for Girls Softball Organization for the use of Highway 57 Sports Complex and Gay Lemon
- bb. Approve Facility Use Agreement of OSBO for the use of Highway 57 Sports Complex, Pine St., Clay Boyd, and Alice St. February 1 – May 22, 2025
- cc. Approve Facility Use Agreement of P360 Performance Sports for the use of Highway 57 Sports Complex January 2 – March 12, 2025

Public Works:

- dd. Adopt a Resolution for the sale of scrap metal from the Public Works Department

DEPARTMENT REPORTS

- a. City Clerk: Approve payment: Docket of Claims, all expenditures are appropriate and authorized by law, and spread the summary on the Minutes
 - aa. **ADDED:** Authorize payment of software support renewal for Laserfiche

A motion was made by Alderman Blackman, seconded by Alderman Cox, 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 the Monthly Budget Report

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

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

A motion was made by Alderman Authement, 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 usage was due to unforeseen circumstances.

- d. City Clerk: Uniform Program for Public Works – Authorization to Execute 60-Month Contract with Cintas and Budget Amendment

A motion was made by Alderman Blackman, seconded by Alderman Papania, and unanimously carried to authorize the Mayor to execute the 60-month Contract with Cintas and amend the budget as presented.

GENERAL PUBLIC COMMENT

Shannon Grace Pfeiffer, Will Thompson, Joe Jewell, James Lewis, William Betterton, Dave Jurich, Becky Desports, and Mark Garriga addressed the Mayor and the Board.

MAYOR AND ALDERMEN'S FORUM

Alderman Burgess inquired with the Public Works Director about the installation of No Dumping signs on Rod and Reel Street, to which he confirmed they would be added. She also asked the Parks Director about the installation of a magnetic lock on the John Gill Park fence, and he responded that it would be completed next week.

Alderman Authement commended the Police Department for their outstanding performance, noting that although it is impossible to monitor all traffic for speeding, their efforts have been excellent. He also addressed concerns regarding City Attorney Will Norman, stating that Mr. Norman has not been involved in any conflicts related to Securix and has been performing his duties effectively for the city. A motion was made by Alderman Authement and seconded by Alderman Wade to issue a Request for Qualifications (RFQ) for a City Attorney and accept applications for an in-house City Attorney position. The motion included that Wilkinson, Bosio & Sessom Law Firm would retain responsibility for current litigation and that Attorney Will Norman would continue handling day-to-day legal matters until a final decision is made.

During the discussion, Alderman Impey clarified that Mr. Wilkinson had acknowledged a conflict of interest regarding Securix and requested that Attorney Amy St. Pé provide counsel on the matter. He also noted that Mr. Wilkinson is under a gag order and cannot publicly defend himself. Alderman Burgess questioned whether the matter should be tabled until the gag order is lifted, but the motion proceeded to a vote. The motion carried with a roll call vote as follows:

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

Nay: None

A motion was made by Alderman Cox, seconded by Alderman Wade, and unanimously carried to approve partnering with the Chamber Main Street and the Art Association to paint the three utility boxes on Government Street, pending approval from Mississippi Power.

Aldermen Papania, Blackman, and Impey remarked that speeding is a personal responsibility and expressed their appreciation to the Police Department for their continued efforts and dedication.

EXECUTIVE SESSION

a. Personnel in the Parks & Recreation Department

A motion was made by Alderman Impey, 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 Impey, seconded by Alderman Burgess, and unanimously carried to remain in executive session to discuss personnel in the Parks & Recreation Department, City Clerk Department, Fire Department, and litigation regarding Edgar, Fisher, and Ward Avenue.

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

A motion was made by Alderman Authement, seconded by Alderman Wade, and unanimously carried to suspend employee #2688 for two days without pay.

A motion was made by Alderman Papania, seconded by Alderman Impey, and unanimously carried to appoint Chris Hupe as Interim Fire Chief.

A motion was made by Alderman Impey, seconded by Alderman Papania, and unanimously carried to recess.

The meeting ended at 8:12 p.m.

RECESS UNTIL 6:00 P.M. on FEBRUARY 18, 2025

Mayor Date Clerk Date