



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, April 4, 2017

1:30 PM

*Gulfport City Hall
Council Chambers*

1:30 p.m. Invocation, Pledge of Allegiance, Call to Order

The Mayor and Members of the Council met at City Hall at 1:30 P.M., on the above date, same being an adjourned meeting from a special council meeting held on the above date, at 11:00 A.M.

Present: Mayor Billy Hewes; General Counsel Hugh Keating; Council Members; Kenneth Casey, Ricky Dombrowski (out at 2:38 P.M.), Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers and Cara Pucheu.

The President announced a quorum and called the meeting to order.

Agenda Order Confirmation or Adjustment of the Agenda Order

Motion to Accept the Agenda as presented with the following changes:

- Deletion of Item #14 - Resolution authorizing amendment to Water/Sewer Service contract and for related purposes;
- Addition of Item #6-A - Resolution approving Change Order #3 to Agreement with Greater Gulf Development, LLC for the Oakleigh Manor and Retreat Village Water Improvements Project, authorizing the Mayor to execute the same (tabled from March 21, 2017 meeting).

Moved By Myles Sharp, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Presentation Agenda

- **Mayor's Report**

The President called for the Mayor's Report.

St. Patrick's Catholic High School Varsity Soccer Team and their coaching staff were acknowledged and congratulated them on winning the state MHSAA Championship in Clinton, MS on February 4. Their season ended undefeated!

Recognition of 25 Years of Service was given to Dispatcher OIC, Angie Barnes.

South Mississippi Child Advocacy Center was issued a proclamation by the City in observance of National Child Abuse Prevention Month.

Bicentennial Celebration Special: Thanks was given to all city crews (grounds and maintenance, public works, leisure services, police and fire), as well as volunteers from all across the coast in helping to make the Bicentennial Celebration such as success the weekend of March 21-April 1.

Easter Egg Hunts: The Mayor announced the upcoming Easter Egg Hunts at Sportsplex Soccer Complex on April 5th and on April 8th at Jones Park.

This concluded the Mayor's Report.

Policy Issues

Minutes / Code Enforcement

- 1 Approval of Minutes for March 21, 2017.

 Motion to Approve the Minutes, Moved By Cara Pucheu, **Seconded by** Ella Holmes-Hines

 Vote: Motion Carried By Unanimous Roll Call Vote
 Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 2 Code Enforcement Hearing - on resolution to declare that certain properties are in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community and to authorize advertisements for bids and lot clean-ups and/or demolitions.

 Motion to Open the Hearing, Moved By Cara Pucheu, **Seconded by** Kenneth Casey

 Vote: Motion Carried By Unanimous Roll Call Vote
 Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

 There being no one present to object or address the Council, Motion to Close the Hearing and Approve the Resolution, Moved by Cara Pucheu, **Seconded by** Kenneth Casey

 Vote: Motion Carried By Unanimous Roll Call Vote
 Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Ordinances

- 3 Ordinance - adopting a temporary moratorium, among other things, on the acceptance and review of applications, site plans, permits for, construction of, processing of and approval of rehabilitation health clinics for a period of six (6) months pending consideration and adoption of revised zoning regulation and other such legislation, as, necessary to promote the public health, safety and welfare of the City of Gulfport, Mississippi, and for related purposes.

Motion to Adopt the Ordinance, Moved by Ricky Dombrowski, Seconded by Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 4 Ordinance - amending various sections of Chapter 7, Article VI of the Code of Ordinances of the City of Gulfport, Mississippi related to street trenching and right-of-way management.

Motion to Adopt the Ordinance as Amended, Moved By Myles Sharp, Seconded by Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 5 Ordinance - to adopt the illicit discharge detection and elimination, the contribution of pollutants to the storm drain system, and for related purposes.

Motion to Adopt the Ordinance, Moved By Cara Pucheu, Seconded by Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 6 Ordinance - providing for the salary of compensation for certain positions of the City of Gulfport, Mississippi and for related purposes and approval of job description.

Motion to Adopt the Ordinance, Moved By Ella Holmes-Hines, Seconded by Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Resolutions / Requests

- 7 Resolution - approving Construction Engineering & Inspection Services Contract Agreement with Brown, Mitchell & Alexander, Inc., for

Construction Engineering & Inspection Services in connection with the Ship Island Ferry Boat Terminal Project, and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Ricky Dombrowski, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 8 Resolution - approving lease of property and areas not needed for municipal or related purposes and associated Lease Agreement with Pan Isles, Inc., and authorizing the Mayor to execute the same.

Motion to Approve, Moved by Ricky Dombrowski, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 9 Resolution - approving Memorandum of Independent Contract for vendor to operate Harbor Bait and Marine Supply Center as a public service near the Bert Jones Yacht Basin and authorizing the Mayor to execute the same.

Motion to Approve, Moved by Ricky Dombrowski, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 10 Resolution - approving proposal and contract for grass cutting services and grounds maintenance and authorizing the Mayor to execute the same.

Motion to delete the site of the future Mississippi Aquarium from the contract, Moved by Ella Holmes-Hines, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Motion to Approve as Amended, Moved By Ricky Dombrowski, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 11 Resolution - approving contract with Artisan Pyrotechnics, Inc., regarding July Fourth Fireworks Display and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Ella Holmes-Hines, **Seconded by** Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 12 Resolution - authorizing negotiations to acquire real property interests and easements and to do any acts necessary and legal, including prosecution in Special Court of Eminent Domain, to obtain title for the City under Miss Code Ann. Sec. 11-27-81, Et Seq., and, if necessary, to expedite the "Brickyard Bayou Bayou Drainage Improvements Project", to authorize special checks to acquire the property interests stated herein, and for related purposes.
Motion to Approve, Moved By Ella Holmes-Hines, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 13 Resolution - authorizing the Governing Authority of the City of Gulfport, Mississippi, to establish just compensation related to the Brickyard Bayou Drainage Improvements Project and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Kenneth Casey, **Seconded by** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 14 Resolution - authorizing amendment to Water/Sewer Service contract and for related purposes.

DELETED

- 15 Resolution - approving Third Amendment to License Agreement between Utility Service Communications Co., Inc. (Licensor) and Powertel/Memphis, Inc. (Licensee) allowing for removal and replacement of certain and various pieces of equipment on Gulfport's Water Tank located at 200 East Beach Boulevard and authorizing the Mayor to execute the same.

Motion to Approve, Moved By R.Lee Flowers, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 16 Resolution - approving Change Order #1 to the Agreement with DNA Underground, LLC, for the Pump Station Rehabilitation - Phase 1 Project and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Cara Pucheu, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker,

Myles Sharp, R.Lee Flowers, Cara Pucheu

- 17 Resolution - approving Certificate of Substantial Completion for the Water System Connection across Bernard Bayou Project and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Ella Holmes-Hines, **Seconded by** Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 18 Resolution - formally requesting assistance of the Harrison County Board of Supervisors with respect to drainage improvements on or near Ramsey Avenue in the City of Gulfport, Mississippi, to seek approval of said request by the Board, and for related purposes.

Motion to Approve, Moved By Ricky Dombrowski, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 19 Resolution - declaring certain and various equipment and other items of municipal personal property to be surplus property which is no longer used or needed by the municipality and declared to have no value to the municipality and authorizing the destruction of the same.

Motion to Approve, Moved By Cara Pucheu, **Seconded by** Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 20 Resolution - declaring certain and various vehicles, machinery, equipment, furnishings, and other items of municipal personal property to be surplus property which is no longer used or needed by the municipality and declaring to have no value to the municipality and authorizing of sale of said items of municipal personal property.

Motion to Approve, Moved By Cara Pucheu, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 21 Resolution - authorizing an expenditure for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport through Human Resources Job/Career Fairs, and for related purposes.

Motion to Approve, Moved By Ella Holmes-Hines, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 22 Renewal - of Property and Liability Insurance and Risk Management Program for the City of Gulfport.

Motion to Approve, Moved By Cara Pucheu, **Seconded by** R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 23 Request - regarding temporary street closure for Ales, Arts and Autos Event, scheduled for September 23, 2017.

Motion to Approve, Moved By Cara Pucheu, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 24 Request - from Cirque Italia for permission of a temporary carnival permit located at Gulfport Premium Outlets from April 13-17, 2017.

Motion to Approve, Moved By Cara Pucheu, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Budget Amendments / Docket of Claims

- 25 Budget Amendment #22 - to transfer funds for the purchase of materials and services related to the 2017 municipal elections.

Motion to Approve, Moved By Ricky Dombrowski, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 26 Budget Amendment #23 - to increase police overtime budget for funds received from the Gulfport School District through a MCOPS grant.

Motion to Approve, Moved By Ricky Dombrowski, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 27 Budget Amendment #24 - to budget revenue received for a forfeiture resulting from a drug related arrest.

Motion to Approve, Moved By Ricky Dombrowski, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 28 Budget Amendment #25 - to transfer funds from the 2014 Bond Issue to capital outlay for the purchase of Public Works and Leisure Services Equipment.

Motion to Approve, Moved By Ricky Dombrowski, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 29 Budget Amendment #26 - to transfer funds for the purchase of a paint and themoplastic grinder.

Motion to Approve, Moved By Ricky Dombrowski, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 30 Budget Amendment #27 - to transfer funds for the purchase of capital equipment for West Side park

Motion to Approve, Moved By Ricky Dombrowski, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 31 Docket of Claims - to be approved through April 5, 2017.

Motion to Approve the Docket of Claims, in the amount of \$1,173,181.69, Moved By Ricky Dombrowski, **Seconded by** R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Routine Agenda

Motion to Approve the Routine Agenda as presented, Moved By R.Lee Flowers, **Seconded by** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 32 Resolution - awarding bids for lot clean-ups and/or demolitions.

Approved on Routine Agenda.

- 33 Privilege License Report - for the period of February, 2017 - to be made a part of the minutes.
- 34 Public Records Requests - for the month of February 2017 & records for disposal schedule - to be made a part of the minutes.
- 35 Year to Date Budget Report - for the month ending February 28, 2017 - to be made part of the minutes.
- 36 Letter - regarding bid awarded by Purchasing for a John Deere Long Block Engine w/turbo - Maintenance Garage (Public Works Department) - to be made a part of the minutes.
- 37 Letter - regarding bid awarded by Purchasing for the installation of concrete foundations for traffic signals - to be made a part of the minutes.
- 38 Request - to establish the use of credit card for small purchase items.
- 39 Public Notice - Advertisement for Proposed Substantial Amendment and Public Hearing for proposed changes to CDBG and KCDBG project, programs and funding.
- 40 Legal Notice - advertisement for bids for Repairs to Barksdale Pavilion.

Public Agenda

Citizen Forum - Up to thirty minutes shall be allowed for public input with a three minute time limit on each speaker.

Mr. Douglas Cockherman, 819 Latimer Rd., Gulfport, MS

Ms. Donna Cox, 15240 Christy Cove, Gulfport, MS

Mr. Wesley Griffin, Habitat for Humanity Re-Store, 8022 Hwy. 49, Gulfport, MS

There being no one further to address the Council, the Public Agenda concluded.

Council Comments

Memorial Adjournment

- TyJuan Reshaud Johnson
- Mrs. Rosie Lee Kendrick
- Ms. Pearl Bournes
- Mrs. Jessie Lee Turner
- Mr. Joseph R. Robert, Sr.

Executive Session

Upon the advice of General Counsel, Motion to Enter Executive Session at 2:38 P.M., Moved by Kenneth Casey, Seconded by Cara Pucheu.

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Absent: Ricky Dombrowski

The Council entered executive session at 2:38 P.M. to discuss matters of litigation. In attendance: Members of the Council; Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu; Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, City Attorney Jeff Bruni, Clerk of Council Ronda Cole, Deputy Clerk of Council Cheryl Germany.

Motion to Exit Executive Session at 2:55 P.M. by Ella Holmes-Hines, Seconded by Kenneth Casey.

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Absent: Ricky Dombrowski

General Counsel Hugh Keating stated that no official action was taken in Executive Session.

Setting of Next Meeting and Adjournment

There being no further business to come before the Council at this time, Motion to adjourn in memory of Tyjuan Reshaud Johnson, Mrs. Rosie Lee Kendrick, Ms. Pearl Bournes, Mrs. Jessie Lee Turner, Mr. Joseph R. Robert, Sr. until 1:30 P.M. April 18, 2017 for a regularly scheduled council meeting, Moved By R.Lee Flowers, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Absent: Ricky Dombrowski

City Clerk

Mayor

Agenda Adjustments

- 41** Resolution - approving Change Order #3 to Agreement with Greater Gulf Development, LLC for the Oakleigh Manor and Retreat Village Water Improvements Project, authorizing the Mayor execute the same.
Motion to take off the Table, Moved By R.Lee Flowers, **Seconded by** Ricky Dombrowski
- Vote:** Motion Carried By Unanimous Roll Call Vote
Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
- Motion to Approve, Moved By** R.Lee Flowers, **Seconded by** Cara Pucheu
- Vote:** Motion Carried By Unanimous Roll Call Vote
Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu