



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Thursday, July 27, 2017

4:00 PM

*Gulfport City Hall
Council Chambers*

4:00 P.M.

Call to Order

The Mayor and Members of the Council met at City Hall at 4:00 P.M., on the above date, same being an adjourned meeting from a regular council meeting held on July 18, 2017 at 1:30 P.M. Present: Mayor Billy Hewes, General Counsel Hugh Keating, **Councilmembers:** Kenneth Casey (out at 6:22 P.M.), Ron Roland, Ella Holmes-Hines (out at 5:48 P.M.), Rusty Walker, Myles Sharp, R.Lee Flowers and Cara Pucheu.

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

Declaration of a Special Called Meeting

Motion to Declare a Special Called Meeting, Moved By Myles Sharp, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Mayor Hewes announced the need for the special called meeting.

Motion to accept the Agenda as Presented, Moved By Myles Sharp, **Seconded By** R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

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

General Counsel Hugh Keating asked that the meeting notice and Mayor's request to call the special meeting be attached to the minutes as Exhibit "A".

Motion to add the meeting notice and the Mayor's Request to call the special meeting be attached to the minutes as Exhibit "A", Moved By R.Lee Flowers and Seconded By Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

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

- 1** Resolution - terminating the State of Emergency related to Tropical Storm Cindy and for related purposes.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

- 2** Resolution - approving Lease Agreement with CIM, LLC and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

- 3** Resolution - approving Memorandum of Agreement with U.S. Department of Labor and authorizing the Mayor to execute the same.

Councilwoman Pucheu recused herself and removed herself from the Council Chambers during the discussion and vote on this Resolution.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Cara Pucheu (out of room)

- 4** Resolution - approving contract with Waste Pro and authorizing the Mayor to execute the same.

Motion to Approve contract as presented between City of Gulfport and Waste Pro of Mississippi, Inc., for residential and light commercial solid water, trash waste and recycle material collection and disposal services, Moved By Myles Sharp, **Seconded by** Kenneth Casey

Councilmember Myles Sharp gave an overview of the RFP process and presented a PowerPoint to show how the final submitted and negotiated prices compared.

Amendment to approve Addendum to allow for changes within the first two (2) years of contract to allow for weekly recycling services, at an additional \$1.30 per contractual unit per month, Moved By R.Lee Flowers, Seconded by Ella Holmes-Hines

Vote: Amendment Fails By The Following Roll Call Vote

Aye: Ella Holmes-Hines, R.Lee Flowers

Nay: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp and Cara Pucheu

The President called for a vote on the original motion to approve as follows:

Vote: Motion Carried By Unanimous Roll Call Vote

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

Executive Session – Request from Legal Department for closed session to determine the need for executive session related to existing pending litigation matters.

General Counsel advised that there was a need to enter executive to discuss that matter regarding Team Waste filing an action for declaratory judgement and a litigation matter involving Dedeaux Road Community Center. Motion to Enter Executive Session at 5:46 P.M., for the purposes stated by General Counsel, Moved By Myles Sharp, Seconded By Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Note: Councilmember Ella Holmes-Hines left at 5:48 P.M.

The Council entered executive session at 5:50 P.M. In attendance: Members of the Council: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp (in at 5:51 P.M.), R.Lee Flowers and Cara Pucheu; Mayor Billy Hewes, CAO John Kelly, General Counsel Hugh Keating, Assistant City Attorney Margaret Murdock (out at 5:57 P.M.), and Clerk of Council Ronda Cole.

Motion to Exit Executive Session at 6:10 P.M., Moved By Ron Roland, Seconded By Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers and Cara Pucheu

Absent: Ella Holmes-Hines

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

Upon reconvening in an open meeting, the following actions were taken:

Motion to authorize the Administration, by and through the Legal Department, to retain Bob Gist of Covington & Associates as an expert in testifying in the Dedeaux Road Community Center litigation that is currently pending, for a fee not-to-exceed \$12,000.00., Moved By Myles Sharp, Seconded By R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers and Cara Pucheu

Absent: Ella Holmes-Hines

Motion to authorize the Administration, by and through the Mayor and the Legal Department to execute an Indemnity Agreement with Waste Pro in a form suitable to the Legal Department, Moved By Myles Sharp, Seconded By R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers and Cara Pucheu

Absent: Ella Holmes-Hines

Note: Councilmember Kenneth Casey left at 6:22 P.M.

Setting of Next Meeting and Adjournment

There being no further business to come before the Council at this time, Motion to Adjourn until August 8,2017 at 1:30 P.M. for a regularly scheduled council meeting, Moved By R.Lee Flowers, Seconded By Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers and Cara Pucheu

Absent: Kenneth Casey and Ella Holmes-Hines

City Clerk

Mayor



City of Gulfport, Mississippi

Agenda City Council

2309 15th Street
Gulfport, MS 39501

Thursday, July 27, 2017

4:00 PM

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Policy Issues

- 1 Resolution - terminating the State of Emergency related to Tropical Storm Cindy and for related purposes.
- 2 Resolution - approving Lease Agreement with CIM, LLC and authorizing the Mayor to execute the same.
- 3 Resolution - approving Memorandum of Agreement with U.S. Department of Labor and authorizing the Mayor to execute the same.
- 4 Resolution - approving contract with Waste Pro and authorizing the Mayor to execute the same.

Executive Session – Request from Legal Department for closed session to determine the need for executive session related to existing pending litigation matters.



OFFICE OF MAYOR

P.O. Box 1780
Gulfport, MS 39502
Phone: 228-868-5700
Fax: 228-868-5800

July 27, 2017

City Hall
2309 15th St.
Gulfport, MS 39501

Honorable F.B. "Rusty" Walker, IV
Honorable Kenneth Casey
Honorable Ron Roland
Honorable Ella Holmes-Hines
Honorable Myles Sharp
Honorable R.Lee Flowers
Honorable Cara Pucheu

Dear Council Members,

Pursuant to Mississippi State Code Annotated Section 21-8-11 and City of Gulfport Code of Ordinances Section 1-41, subsection C, I am hereby calling a special meeting of the Gulfport City Council to be held today, Thursday, July 27, 2017 at 4:00 pm in the Council Chambers. The purpose of this meeting is as follows:

1. Discussion and Ratification of Solid Waste Contract for the City of Gulfport
2. Time sensitive discussion on the status of the Gulfport Job Corps Center
3. Time sensitive consideration of a short term lease of space at the Depot
4. Review and termination of the State of Emergency for Tropical Storm Cindy (Review must be every 30 days – last reviewed on July 5)
5. Two items to be taken up in Executive Session which relate to existing pending litigation matters involving the Dedeaux Road Community Center law suit and Team Waste complaint for declaratory judgment.

Thank you for adjusting your schedules to accommodate this meeting.

Sincerely yours,

A blue ink signature of Billy Hewes, the Mayor of Gulfport. The signature is written in a cursive, flowing style.

Billy Hewes
Mayor

cc: Hugh Keating, City Attorney's Office
Ronda Cole, Council Clerk