



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, July 18, 2017

1:00 PM

Gulfport City Hall
Council Chambers

1:00 p.m. Presentation by Public Works Department

The Mayor and Members of the Council met at 1:00 P.M. on the above date for a public hearing related to Municipal Separate Storm Sewer System Program – MS4 presentation by Public Works. Present: Council Members: Kenneth Casey (in at 1:04 P.M.), Ron Roland (in at 1:12 P.M.), Rusty Walker (in at 1:06 P.M.), Myles Sharp and R.Lee Flowers (in at 1:06 P.M.).

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 regular meeting held on July 5, 2017 at 1:30 P.M. Present: CAO Dr. John Kelly; General Council Hugh Keating; Council Members Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers.

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 deletion of Item #4, 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

Absent: Cara Pucheu

Presentation Agenda

- **Mayor's Report**

The President called for the Mayor's Report:

CAO Dr. John Kelly, acting in the absence of Mayor Billy Hewes, welcomed the audience to the Council Meeting.

Recognition was given to Captain Craig Peterson on his 20th anniversary with the Gulfport Police Department.

Dr. Kelly informed the audience that Cinema by the Shore would be held Friday, July 14th at Jones Park.

An update was given by Ms. Elaine Wilkinson, Gulf Regional Planning on the NCBC Joint Land Use Study.

Mr. Rupert Lacy, Civil Defense Director gave a report of the outcome of the recent rain events.

This concluded the Mayor's Report.

Policy Issues

Minutes / Code Enforcement

- 1 Approval of minutes - for July 5 & 7, 2017.

Motion to Adopt the Minutes of July 5, 2017 and July 7, 2017, Moved By Ella Holmes-Hines, **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

Absent: Cara Pucheu

- 2 Code Enforcement Hearing - on resolution to declare that certain properties are in such a state of uncleanliness 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 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

Absent: Cara Pucheu

There being no one present to object or address the Council, Motion to Close the Hearing and Approve the Resolution, Moved By R.Lee Flowers, **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

Absent: Cara Pucheu

Resolutions

- 3 Resolution - declaring the intention of the city Council of the City of Gulfport, Mississippi, to issue General Obligation bonds of said city in the maximum aggregate principal amount of thirty-five million dollars (\$35,000,000), in one or more series primarily to finance the development of the Mississippi Aquarium to be located in the City and for other authorized purposes permitted by Section 21-33-301 through 21-33-329, Mississippi Code of 1972, as amended, as more specifically set forth below, relating to public buildings or public support: directing publication of notice of such intention; and for related purposes.

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

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

- 4 Resolution - approving Contract with Waste Pro of Mississippi, Inc., for solid waste and recycling collection, transport and disposal and authorizing the Mayor to execute the same.

DELETED

- 5 Resolution - approving Maintenance Agreement between the City of Gulfport and Gulfport Highlands Development, L.P., 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, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Cara Pucheu

- 6 Resolution - approving LED Lighting Lease Agreement with MS Power for Moses Jetty, Libby Milner Roland Pier and Kremer Marine Boat Launch and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Ron Roland, **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

Absent: Cara Pucheu

- 7 Resolution - approving Repair and Preventative Maintenance Agreement between the City of Gulfport, Mississippi, and Mitchell Signs., Inc., related to the Sportsplex Marquee Sign 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, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Cara Pucheu

- 8 Resolution - approving CHDO Agreement between Gulf Coast Housing Initiative, Inc. and Harrison County HOME Consortium, and the City of Gulfport, as Lead Agency for affordable housing in Gulfport and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Ella Holmes-Hines, **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

Absent: Cara Pucheu

- 9 Resolution - regarding proposals submitted for On-Line Benefits and authorizing negotiation of contract to HClactive and for related purposes.

Motion to Appoint a Study Committee of three members appointed by the Council President

to study said proposal prior to further negotiation, Moved By Myles Sharp, **Seconded by** Rusty Walker

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

Council President named Councilmembers Cara Pucheu, Ella Holmes-Hines and R.Lee Flowers as committee members.

- 10** Resolution - approving Certificate of Substantial Completion for Herring Road Water and Sewer Main Project and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Ella Holmes-Hines, **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

Absent: Cara Pucheu

- 11** 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 Drainage Improvements Project", to authorize special check 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, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Cara Pucheu

- 12** Resolution - authorizing the Governing Authority of the City of Gulfport, 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 Ella Holmes-Hines, **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

Absent: Cara Pucheu

- 13** Resolution - authorizing an expenditure for advertising and bring into favorable notice the opportunities, possibilities and resources of the City of Gulfport Police Department 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, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Cara Pucheu

- 14** Resolution - authorizing an expenditure for advertising and bring into favorable notice the opportunities, possibilities and resources of the City of Gulfport Administration and City Council and for related purposes.

Motion to Approve, Moved By R.Lee Flowers, **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

Absent: Cara Pucheu

- 15** Resolution - authorizing an expenditure for advertising and bring into favorable notice the opportunities, possibilities and resources of the City of Gulfport and for related purposes.

Motion to Approve, Moved By R.Lee Flowers, **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

Absent: Cara Pucheu

- 16** Resolution - approving sale of sidearm to Officer Mark Peduzzi upon his retirement from the City of Gulfport and setting the amount to be paid for said firearm pursuant to Mississippi Code Annotated § 45-9-131 (rev. 2014).

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

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

- 17** Resolution - approving sale of sidearm to Lt. Eddie Lovitt upon his retirement from the City of Gulfport and setting the amount to be paid for said firearm pursuant to Mississippi Code Annotated § 45-9-131 (rev. 2014).

Motion to Approve, Moved By Ella Holmes-Hines, **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

Absent: Cara Pucheu

- 18** Resolution - approving sale of sidearm to Sgt. Chris Langenbach upon his retirement from the City of Gulfport and setting the amount to be paid for said firearm pursuant to Mississippi Code Annotated § 45-9-131 (rev. 2014).

Motion to Approve, Moved By Ella Holmes-Hines, **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

Absent: Cara Pucheu

- 19** Resolution - approving Sportsplex Marketing Plan and Form Sponsorship Agreement, and for related purposes.

Motion to Approve, Moved By R.Lee Flowers, **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

Absent: Cara Pucheu

- 20 Resolution - authorizing acceptance of the FY18 Alcohol and Drug Impaired Driving Grant for the Police Department 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, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Cara Pucheu

- 21 Resolution - authorizing acceptance of the NHTSA Police Traffic Services Grant (PT-2018-PT-21-41) for the Police Department 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, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Cara Pucheu

- 22 Resolution - authorizing acceptance of HIDTA (High Intensity Drug Trafficking Area) grant #G-17-GC-0003A for the Police Department, and for related purposes.

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

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

- 23 Request - to approve application with the Natural Resources Conservation Service for Emergency Watershed Protection Project.

Motion to Authorize Application with the Natural Resources Conservation Service for Emergency Watershed Protection Project, Moved By Kenneth Casey, **Seconded by** Ella Holmes-Hines

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

Budget Amendments / Docket of Claims

- 24 Budget Amendment #41 - to budget revenue received for the Police Department as a result of a drug forfeiture.

Motion to Approve, Moved By R.Lee Flowers, **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

Absent: Cara Pucheu

- 25 Budget Amendment #42 - to budget revenue received in the Police Department as a result of a drug forfeiture.

Motion to Approve, Moved By R.Lee Flowers, **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

Absent: Cara Pucheu

- 26 Docket of Claims - to be approved through July 19, 2017.

Motion to Approve the Docket of Claims, in the amount of \$3,279,405.74, Moved By R.Lee Flowers, **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

Absent: Cara Pucheu

Routine Agenda

Motion to Approve the Routine Agenda as Presented, Moved By Ella Holmes-Hines, **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

Absent: Cara Pucheu

- 27 Ratification - of Oaths of Office - to be made a part of the minutes.

Approved on the Routine Agenda.

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

Approved on the Routine Agenda.

- 29 Year-to-Date Budget Report - for the month ending June 30, 2017.

Approved on the Routine Agenda.

- 30 Associated Adjusters Check Register - for workers' comp and general liability claims paid during the month of June 2017.

Approved on the Routine Agenda.

- 31 Bi-weekly payroll journals - for the month of June, 2017.

Approved on the Routine Agenda.

- 32** Letter - regarding bid awarded by Purchasing for Wiedenmann Triple v375 (Vericutter) - Leisure Services Department - to be made a part of the minutes.

Approved on the Routine Agenda.

- 33** Letter - regarding bid awarded by Purchasing for Laptop Computers - Urban Development Department - to be made a part of the minutes.

Approved on the Routine Agenda.

- 34** Letter - regarding bid awarded by Purchasing for Hard Drive and Ram - IT Department - to be made a part of the minutes.

Approved on the Routine Agenda.

Public Agenda

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

- Mr. Willie Spann, resident of 2103 34th Street.
- Ms. Mary Spinks Thigpen, resident of 199 Holly Circle.
- Ms. Anne Steward, resident of 15101 S. Swan Road.

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

Council Comments

Memorial Adjournment

Executive Session

General Counsel advised that there was a need to enter executive session to discuss matters relating to settlement of a workers compensation case, quarterly status of workers compensation claims and an update on a litigation matter involving Michael Long v. City of Gulfport, 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

Absent: Cara Pucheu

The Council entered executive session at 3:21 P.M. In attendance: Member of the Council: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp and R.Lee Flowers; CAO Dr. John Kelly, General Counsel Hugh Heating, City Attorney Jeff Bruni (in at 3:45 P.M.),

Director of Engineering Kris Riemann (out at 3:45 P.M.), Assistant City Attorney Dustin Uselton (out at 3:45 P.M.), Human Resource Manager Cheryl Millender (in at 3:45 P.M. and out at 3:59 P.M.), Council Clerk Ronda Cole.

Motion to exit Executive Session at 4:05 P.M., Moved by Ella Holmes-Hines, 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

Absent: Cara Pucheu

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

Upon reconvening in an open meeting, the following action was taken:

Motion authorizing worker's compensation claim of Mark Headrick pursuant to details discussed in Executive Session, 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

Absent: Cara Pucheu

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 Rev. Katie Foster-Holmes Anthony and Miss Elyanna Dedeaux until August 8, 2017 at 1:30 P.M. for a regularly scheduled council meeting, Moved by Kenneth Casey, Seconded by Ella Holmes-Hines.

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

City Clerk

Mayor