



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, November 7, 2017

1:30 PM

*Gulfport City Hall
Council Chambers*

1:30 P.M. Invocation, Pledge of Allegiance, Call to Order

The 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 Council Meeting held on October 17, 2017 at 1:30 P.M.

Present: Mayor Billy Hewes, General Counsel Hugh Keating, **Councilmembers:** Kenneth Casey, Ron Roland, 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

Motion to Accept the Agenda with the following adjustments; delete item # 4 at the Administration's request, 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, Cara Pucheu

Presentation Agenda

The President called for the Mayor's Report:

Mayor Hewes called upon Wayne Miller to present the Melvin Evans Service Award, recognizing employees of Public Works/Engineering/Utility Partners for 20 or more years of service. Ken Northington, Kent Adams, Sherry Mortin, and Lyle Smith were each presented an award.

Mayor Hewes then called upon Gulfport Police Department Deputy Chief, Chris Loposser, to give an update on the Gulfport Octane Event that has just concluded.

Upcoming Events:

- Veterans Day Parade - Saturday, November 11th in Biloxi at 11:00 A.M.
- Gulfport Harbor Lights Festival - Kick off Friday, November 24th
- Christmas Parade - Downtown Gulfport, December 2nd at 6:30 P.M.
- Premiere of "Christmas in Mississippi" - Airs on Lifetime, December 9th; with a special premiere showing to be announced in Gulfport soon!

City Offices will be closed Friday, November 10th, in observance of Veterans Day.

This concluded the Mayor's Report.

Policy Issues

Minutes

- 1 Approval of minutes - for October 17, 2017.

Motion to Approve Minutes for October 17, 2017, Moved By Ella Holmes-Hines,
Seconded by Cara Pucheu.

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: R.Lee Flowers (out of room)

Code Enforcement / Planning / Ordinances

- 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 Code Enforcement Hearing, 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, Cara Pucheu

Absent: R.Lee Flowers (out of room)

There being no one present to object or address the Council, Motion to Close the Hearing and Approve the Resolution, 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, Cara Pucheu

- 3 Final Plat - approval for an 11-lot subdivision (Carriagewood Subdivision) on the tax parcel zoned R-1-7.5 (Single Family) located north of Stanton Circle, south of and adjacent to Hillcrest Road, east of Oak Pointe Drive, and west of Lorraine Road - Case # 1709PC106 - Ward 4.

Motion to Approve Final Plat for Carriagewood Subdivison, 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, Cara Pucheu

- 4 Final Plat - approval for an 18-lot subdivision (Gulfport Highlands Development, Ph. 1) on approximately zoned R-B (Residential Business) and B-2 (General Business) located north of and adjacent to Lorraine Road, south of O'Neal Road, east of and adjacent to Highway 605, and west of Ollie road - Case 1706PC064 - Ward 6.

-Deleted-

- 5 Certificate of Resubdivision - to divide the tax parcels into two parcels zoned R-1-7.5 (Single Family) located north of Shady Lane, south of Epico Hollow, east of Kendall Avenue, and west of and adjacent to Courthouse Road - Case # 1708PC089 - Ward 4.

Motion to Approve Certificate of Resubdivision, 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

- 6 Acceptance for Perpetual Maintenance - Duckworth Road Estates Subdivision for the roadway and release of cash bond through a special check.

Motion to Accept Duckworth Road Estates roadway for perpetual maintenance, and release of the warranty bond in the amount of \$42,829.00, to be paid by special check, 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

- 7 Ordinance - rezoning the tax parcels from T4+ (General Urban Zone "Plus") to T5 (Urban Center Zone) located north of Victory Street, south of and adjacent to E. Pass Road, east of Loposser Avenue, and west of Tegarden Road - Case # 1709PC103 - Ward 2.

Motion to Adopt Ordinance, Moved By Ron Roland, **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, Cara Pucheu

Ordinance # 2922

- 8 Ordinance - amending Ordinance No. 2856 to expand the boundaries of the "Downtown Social District", a Leisure and Recreation District established by the City of Gulfport, and for related purposes.

Motion to Adopt Ordinance, Moved By Ron Roland, **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

Ordinance # 2923

- 9 Ordinance - to amend Section 2-218 of the Code of Ordinances of the City of Gulfport related to evacuation procedures at the Marina, and for related purposes.

Motion to Adopt Ordinance, Moved By Cara Pucheu, **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, Cara Pucheu

Ordinance # 2924

- 10 Ordinance - amending Section 2-80(C) of the Code of Ordinances of the City of Gulfport, Mississippi related to slip rental fees in the Marina for qualified non profit or tax exempt organizations.

Motion to Adopt Ordinance, Moved By Cara Pucheu, **Seconded by** Ron Roland.

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

Ordinance # 2925

- 11 Ordinance - providing for the salary of compensation for certain positions of the City of Gulfport, Mississippi and for related purposes.

Motion to Adopt Ordinance, 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

Ordinance # 2926

- 12 Ordinance - providing for the salary of compensation for certain positions of the City of Gulfport, Mississippi and for related purposes.

Motion to Adopt Ordinance, 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, Cara Pucheu

Ordinance # 2927

Resolutions / Recommendations

- 13** Resolution - to ratify the appointment of Municipal Court Clerk and Municipal Deputy Court Clerks and for related purposes.

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

Motion to Remand back to Administration, 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

- 14** Resolution - formally requesting assistance of the Harrison County Board of Supervisors with respect to paving improvements on or near East David Street in Pine Hills Subdivision in the City of Gulfport, Mississippi and seeking approval of said request by the Board 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, Cara Pucheu

- 15** Resolution - formally requesting assistance of the Harrison County Board of Supervisors with respect to paving improvements on or near 19th Street in the Soria City Community in the City of Gulfport, Mississippi and seeking approval of said request by the Board 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, Cara Pucheu

- 16** Resolution - formally requesting assistance of the Harrison County Board of Supervisors with respect to paving improvements on or near West Railroad Avenue in the North Gulfport community in the City of Gulfport, Mississippi, seeking approval of the Board 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, Cara Pucheu

- 17** Resolution - by the Gulfport City Council to authorize assistance to the Gulfport School District, pursuant to Miss. Code Ann. § 21-37-4 (1972), and for related purposes.

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

Vote: Motion Carried By the following Roll Call Vote

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

Nay: R.Lee Flowers

- 18** Resolution - approving Exhibitor Agreement and Release with the Gulfport-Biloxi Regional Airport Authority and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Cara Pucheu, **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, Cara Pucheu

- 19** Resolution - approving Services Agreement with MS Coast Model Railroad Museum for the 2017 Gulfport Harbor Light Festival 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, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 20** Resolution - authorizing the City of Gulfport to enter into Services Agreement with Central Auction House to comply with HB1106 and HB1109.

Motion to Approve, Moved By Myles Sharp, **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

- 21** Resolution - approving Merchant Funded to Service Fee Amendment to Merchant Processing Agreement and authorizing the Mayor to execute the same.

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

- 22** Resolution - approving Change Order #1 to the contract with TCB Construction Company, Inc., for the Expansion of the Gulfport Sportsplex, Project B - Sitework 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, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 23** Resolution - approving Change Order #1 to the contract with David Rush Construction, LLC for the Gulfport Sportsplex Expansion - Project B - Buildings and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Cara Pucheu, **Seconded by** Ron Roland

Vote: Motion Carried By the following Roll Call Vote

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

Abstain: Rusty Walker

- 24** Resolution - approving Change Order #2 to the contract with J.E. Talley Construction, Inc., for the Expansion of the Gulfport Sportsplex - Project A and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Cara Pucheu, **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, Cara Pucheu

- 25** Resolution - approving Change Order #1 to the contract with SCI, Inc., for the Benefield Area Sewer Improvements Project and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Rusty Walker, **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, Cara Pucheu

- 26** Resolution - approving Amendment #8 to Utility Partners, LLC and authorizing the Mayor to execute the same.

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

- 27 Resolution - approving Certificate of Substantial Completion for the West 28th Street Water Main Improvements Project - Part 2 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, Cara Pucheu

- 28 Resolution - by the Gulfport City Council authorizing recognition of Friday, November 24, 2017 and Tuesday, December 26, 2017, as additional municipal holidays in further observance of the Thanksgiving and Christmas Holidays, as proclaimed by the Governor of the State of Mississippi, 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, Cara Pucheu

- 29 Resolution - authorizing vacation and release of easement in connection with Poplar Circle-Chamberlain Avenue Sewer Improvements Project and authorizing the Mayor to execute effectuate instrument effectuating said release and abandonment.

Motion to Approve, Moved By Rusty Walker, **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, Cara Pucheu

- 30 Resolution - authorizing acceptance of donation of right of way improvements (Fastway Lane) and authorizing the Mayor to execute IRS form related to same.

Motion to Approve, Moved By Cara Pucheu, **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, Cara Pucheu

- 31** Resolution - authorizing designation of fifteen (15) minute parking spaces, in accord with Section 6-380 of the Code of Ordinances of the City of Gulfport and for related purposes.

Motion to Approve, Moved By Ron Roland, **Seconded by** Cara Pucheu

Vote: Motion Carried By the following Roll Call Vote

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

Nay: Rusty Walker, Cara Pucheu

- 32** Resolution - authorizing an expenditure for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport Leisure Services Department 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, Cara Pucheu

- 33** Resolution - authorizing and expenditure for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport at the Naval Construction Battalion Base in Gulfport and advertising associated with the 75th Anniversary of the U.S. Navy Seabees and for related purposes.

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

- 34** Resolution - authorizing the Gulfport Police Department to participate in the 2017 Bulletproof Vest Program through the Department of Justice, Office of Justice Programs and authorizing the Mayor or his designee to execute the same.

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

- 35** Resolution - reconfirming and extending the status of a state of emergency due to the impacts of Hurricane Nate on the City of Gulfport and for related purposes.

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

- 36** Recommendation - to approve One-Year Extension to the Supplemental Agreement No. 1 with Pickering Firm, Inc., for Water Resources, Transportation, and Economic Development Infrastructure Program.

Motion to Approve recommendation approving one-year extension to the Supplemental Agreement No. 1 with Pickering Firm, Inc., for Water Resources, Transportation, and Economic Development Infrastructure Program, 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, Cara Pucheu

Budget Amendments / Docket of Claims

- 37** Budget Amendment 2017-56 - to amend budget to actual for FYE September 30, 2017.

Motion to Approve Budget Amendment #56 for FYE September 30, 2017, 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

- 38** Budget Amendment #4 - to budget fund received from a drug forfeiture as a result of a drug related arrest.

Motion to Approve Budget Amendment #4, Moved By Cara Pucheu, 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, Cara Pucheu

- 39** Budget Amendment #5 - to record forfeiture funds received as a result of a drug related arrest.

Motion to Approve Budget Amendment #5, 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, Cara Pucheu

- 40** Budget Amendment #6 - to record payoff for traffic cabinet replacement where insurance proceeds were received in prior year and expenditure not made until current fiscal year.

Motion to add #40, 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

Motion to Approve Budget Amendment #6, Moved By R.Lee Flowers, **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

- 41** Budget Amendment #7 - to transfer funds for the 2017 Harbor Lights Show.

Motion to Approve Budget Amendment #7, Moved By Cara Pucheu, **Seconded by** Kenneth Casey

Vote: Motion Carried By the following Roll Call Vote

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

Nay: Ella Holmes-Hines

Absent: Rusty Walker (out of room)

- 42** Budget Amendment #8 - to rollover funds from FY 2017 for the purchase of vehicles - Gulfport Fire Department.

Motion to Approve Budget Amendment #8, 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, Myles Sharp, R.Lee Flowers, Cara Pucheu

Absent: Rusty Walker (out of room)

- 43** Budget Amendment #9 - to transfer funds to the Benefield Sewer Replacement Project & the Pump Station Rehabilitation Project.

Motion to Approve Budget Amendment #9, Moved By Cara Pucheu, **Seconded by** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Rusty Walker (out of room)

- 44** Docket of Claims - to be approved through November 8, 2017.

Motion to Approve the Docket of Claims, in the amount of \$4,216,236.89, 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, Myles Sharp, R.Lee Flowers, Cara Pucheu

Absent: Rusty Walker (out of room)

Routine Agenda

Motion to Approve the Routine Agenda as presented, Moved By Cara Pucheu, Seconded by R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Rusty Walker (out of room)

- 45** Ratification - of recorded easement and release of easement - Dwane and Julie Black - to be made a part of the minutes.

Approved on Routine Agenda

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

Approved on Routine Agenda

- 47** Privilege License Report - for the month of September, 2017 - to be made a part of the minutes.

Approved on Routine Agenda

- 48** Letter - regarding bid awarded by Purchasing for 8 Phase Base Mounted Signal Cabinet - Public Works (Traffic & Safety) Department - to be made a part of the minutes.

Approved on Routine Agenda

- 49** Letter - regarding bid awarded by Purchasing for uniforms - Police Department - to be made part of the minutes.

Approved on Routine Agenda

- 50** Letter - regarding bid awarded by Purchasing for electrical supplies - Leisure Services (Harbor) - to be made a part of the minutes.

Approved on Routine Agenda

- 51** Letter - regarding bid awarded by Purchasing for electrical supplies for Harbor Lights Show - to be made a part of the minutes.

Approved on Routine Agenda

- 52** Letter - requesting a change fund for the Harbor Lights Show in the amount of \$3,000.

Approved on Routine Agenda

- 53** Conveyance Deed - regarding transfer of ownership of space in Evergreen Cemetery.

Approved on Routine Agenda

- 54** Public Notice - to advertise Environmental Assessment - Landon Road Improvements Project (FONSI).

Approved on Routine Agenda

- 55** Legal Notice - advertisement for bids for Term Contract Group O - Hot Extruded Thermoplastic Street Marking Paint.

Approved on Routine Agenda

Public Agenda

The President called for comments during the Public Agenda.

The following citizen(s) addressed the Council:

- David Easterling, resident of 2188 St James Blvd.
- Doll Stanley, In Defense of Animals, Justice for Animals Director
- Jimmie T. Jenkins, resident of 5113 Old Pass Rd.

This concluded the Public Agenda.

Memorial Adjournment

- Texas Church Shooting Victims
- Mrs. Alicia Brown
- Kenneth L. "Kenny" Jones

Executive Session

General Counsel advised that there was a need to enter Executive Session to discuss pending Litigation regarding the Mach Appeal, and to discuss lawsuits on property damage cases. Upon hearing from Counsel, Motion to enter executive session at 3:31 P.M., Moved By R.Lee Flowers, 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

The Council entered executive session at 3:35 P.M. In attendance: Member of the Council: Kenneth Casey, Ron Roland, Ella Holmes-Hines (in at 3:56 P.M.), Rusty Walker, Myles Sharp, R.Lee Flowers, and Cara Pucheu (out at 3:36 P.M.), Mayor Billy Hewes, CAO Dr. John R. Kelly, General Counsel Hugh Keating, Assistant City Attorney Margaret Murdock, Director of Urban Development Greg Pietrangelo, Clerk of Council Ronda Cole, and Deputy Clerk of Council Brittany Rodgers.

Motion to exit Executive Session at 3:54 P.M., 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

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 Legal Department to file a notice of appeal and such pleadings as may be necessary in the matter of Mavar, et al. vs Mach, et al., in the event the parties are unable to resolve and settle the litigation by or before November 21, 2017, Moved By Myles Sharp, Seconded By R.Lee Flowers

Vote: Motion carried By the following Roll Call Vote

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

Abstain: Rusty Walker

Absent: Cara Pucheu (out of room)

Motion for legal counsel to take any and all actions necessary, including the filing of any lawsuits, and authorize the expenditure of monies to go towards the payment of any necessary court costs and fees, as well as any other expenses, to recover damages in the City's claims against the following; Pierre Bass, for damages in the amount of \$3,144.14 plus court cost, interest, and attorney's fees, Sarah King, for damages in the amount of \$10,865.00 plus court costs, interest, and attorney's fees, Leigha White and Angela White for damages in the amount of \$4,139.53 plus court cost, interest, and attorney's fees, Aaron Willison and Tad Willison for damages in the amount of \$2,323.14 plus court cost, interest, and attorney's fees, 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, Cara Pucheu

Motion to appoint Terri Fairley as the Clerk of Court/Court Administrator for the Municipal Court, Moved By Cara Pucheu, **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, 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 the Texas Church Shooting Victims, Mrs. Alicia Brown, and Mr. Kenneth L. "Kenny" Jones, until November 21, 2017 at 1:30 P.M. for a Regular Council Meeting, Moved by R.Lee Flowers, **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, Cara Pucheu

City Clerk

Mayor