



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, November 21, 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 November 7, 2017 at 1:30 P.M.

Present: Mayor Billy Hewes, General Counsel Hugh Keating, **Councilmembers:** Kenneth Casey, Rusty Walker, Myles Sharp, and R.Lee Flowers. **Absent:** Ron Roland, Ella Holmes-Hines, 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 #8 at the Administration's request, move item #7 to item #3-A, and add item #3-B, ratification of approval of the Mississippi Aquarium's Bylaws and Board of Directors, Moved By Myles Sharp, Seconded by R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Ron Roland, Ella Holmes-Hines, Cara Pucheu

Presentation Agenda

The President called for the Mayor's Report:

The Mayor called for a moment of silence in memory of Sydney Pucheu, daughter of Councilmember Cara Pucheu and her husband, Jacques.

After which the Mayor recognized Jesmyn Ward, the latest recipient of The National Book Award for her latest, "Sing, Unburied, Sing". This is Jesmyn's second National Book Award, the first she received in 2011 for "Salvage the Bones". The National Book Awards, which were established in 1950 and are presented by the National Book Foundation, have gone to some of the most revered writers in the United States, including William Faulkner, Saul Bellow, Philip Roth, Ralph Ellison, Susan Sontag and Flannery O'Connor. Jesmyn not only attended as a National Book Award winner but as a Native of the Mississippi Gulf Coast (DeLisle) and as the daughter of Councilmember Kenneth "Truck" Casey and Mrs. Casey.

Mayor Hewes then called upon the Director of Public Works, Wayne Miller, to present the Melvin Evans Service Award, recognizing employees of Public Works/Engineering/Utility Partners for 20 or more years of service. John Fletcher, Jimmy Ladner, Willie Henry, and John Garrison were each presented with an award.

Upcoming Events:

1. Thanksgiving Holiday - City offices will be Closed Thursday and Friday.
2. Gulfport Harbor Lights - kick off will be Friday, November 24th at 5:30 P.M.
3. The Bark Park Grand Opening - Wednesday, November 29th at 10:00 A.M.
4. Sugar Plum Saturday - December 2nd in Downtown Gulfport starting at 4:00 P.M.
The fun includes games, face painting, cookie decorating, and free photos with Santa!
5. Christmas Parade - December 2nd in Downtown Gulfport starting at 6:30 P.M.
6. Gulf Coast Marathon - December 8 - 10th all along the MS Gulf Coast

Mayor Hewes then called upon students from Mississippi Gulf Coast Community College Omicron Alpha Chapter of Phi Theta Kappa to present their findings on the case study that their Chapter completed on the ecological benefits of recycling oyster shells.

This Concluded the Mayor's Report.

Policy Issues

Minutes

- 1 Approval of minutes - for November 7, 2017.

Motion to Approve Minutes for November 7, 2017, Moved By R.Lee Flowers,
Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Ron Roland, Ella Holmes-Hines, Cara Pucheu

Code Enforcement / Planning

- 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 R.Lee Flowers, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Ron Roland, Ella Holmes-Hines, Cara Pucheu

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** R.Lee Flowers

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

- 3** Final Plat - approval for a 15-lot subdivision (Bridgewater Bay Subdivision) on the tax parcels zoned R-2 (Single Family) located north of West Pine Street, south of West Taylor Road, east of and adjacent to Carl Legett Road, and west of Cowan Road - Case # 1710PC121 - Ward 4.

Motion to Approve Final Plat for Bridgewater Bay Subdivision, Moved By Myles Sharp, Seconded by Kenneth Casey

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

- 3 - A** Resolution - approving the sale of the Memorial Behavioral Health Assets; approving and authorizing the execution of the Asset Purchase Agreement and other Agreements and documents in connection with said sale; and for related purposes.

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

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

- 3 - B** Ratification - of Approval of the Mississippi Aquarium Operating 501c3 Bylaws and Board of Directors to be spread across the minutes.

Motion to Ratify the approval of the Mississippi Aquarium Operating 501c3 Bylaws and Board of Directors and to spread across the minutes, Moved By Myles Sharp, Seconded by Kenneth Casey

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

- 4** Final Plat - approval for a 13-lot subdivision (Bayou Bend) on the tax parcels zoned R-1-7.5 (Single Family) located north of Hillcrest Road, adjacent to the north and south of Evans Street, east of Bayou Bernard, and west of Stone Road - Case # 1710PC122 - Ward 4.

Motion to Approve Final Plat for Bayou Bend, Moved By Kenneth Casey, Seconded by Myles Sharp

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

- 5 Certificate of Resubdivision - to divide the tax parcels into two parcels zoned T5 (Urban Center Zone) located north of Beach Drive, south of Township Road, east of and adjacent to Markham Drive, and west of Phillips Drive - Case # 1710PC125 - Ward 2.

Motion to Approve Certificate of Resubdivision, Moved By Kenneth Casey, **Seconded by** Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Ron Roland, Ella Holmes-Hines, Cara Pucheu

- 6 Certificate of Resubdivision - to divide the tax parcels into four parcels zoned T3 (Suburban Zone) located north of Finley Street, south of W Railroad Street, east of and adjacent to Ruth Avenue, and west of Regnault Avenue - Case # 1710PC118 - Ward 2.

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

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Ron Roland, Ella Holmes-Hines, Cara Pucheu

Resolutions / Requests

- 7 This Item was moved to Item #3 – A

- 8 Resolution - by the Gulfport City Council, urging the Mississippi Legislature to adopt legislation that will allow municipalities to submit debts owed to municipalities and to the State of Mississippi as a result of delinquent traffic fines and fees to the Mississippi Department of Revenue for collection through a setoff against state income tax refunds owed to the debtor, and for related purposes.

-Deleted-

- 9 Resolution - Approving Memorandum of Understanding with Mississippi Department of Transportation (Final Version) for Dedeaux Road from Three Rivers Road to Dede Drive and authorizing the Mayor to execute the same.

Motion to Approve, Moved By R.Lee Flowers, **Seconded by** Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Myles Sharp, Kenneth Casey, R.Lee Flowers, Rusty Walker

Absent: Ron Roland, Ella Holmes-Hines, Cara Puch

- 10 Resolution - approving preliminary Engineering Services Contract with Neel-Schaffer, Inc., for design services related to the Seaway Road Pedestrian Pathway Project and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Myles Sharp, **Seconded by** R.Lee Flowers**Vote:** Motion Carried By Unanimous Roll Call Vote**Aye:** Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers**Absent:** Ron Roland, Ella Holmes-Hines, Cara Pucheu

- 11** Resolution - approving Change Order No. 2 to the contract with for the Pump Station Rehabilitation - Phase 1 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, Rusty Walker, Myles Sharp, R.Lee Flowers**Absent:** Ron Roland, Ella Holmes-Hines, Cara Pucheu

- 12** Resolution - authorizing an expenditure for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport Police Department and for related purposes.

Motion to Approve, Moved By Kenneth Casey, **Seconded by** Myles Sharp**Vote:** Motion Carried By Unanimous Roll Call Vote**Aye:** Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers**Absent:** Ron Roland, Ella Holmes-Hines, Cara Pucheu

- 13** Resolution - authorizing an expenditure in support of the City of Gulfport's share of the Cassidy and Associates FY 2018 contract for consulting services to help protect our military facilities and for related purposes.

Motion to Approve, Moved By Kenneth Casey, **Seconded by** R.Lee Flowers**Vote:** Motion Carried By Unanimous Roll Call Vote**Aye:** Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers**Absent:** Ron Roland, Ella Holmes-Hines, Cara Pucheu

- 14** Resolution - authorizing an expenditure for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport via a donation to the Gulf Coast Community Foundation in support of the Coast-Wide Martin Luther King Jr. Committee and for related purposes.

Motion to Approve, Moved By Kenneth Casey, **Seconded by** R.Lee Flowers**Vote:** Motion Carried By Unanimous Roll Call Vote**Aye:** Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers**Absent:** Ron Roland, Ella Holmes-Hines, Cara Pucheu

- 15** Resolution - authorizing a donation of funds to the local chapter of the American Red Cross pursuant to § 21-19-57 (2015), and for related purposes.

Motion to Approve, Moved By Kenneth Casey, **Seconded by** Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Ron Roland, Ella Holmes-Hines, Cara Pucheu

- 16** Resolution - authorizing an expenditure for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport Mississippi via a donation to the 2018 Gulf Coast Legislative Reception and for related purposes.

Motion to Approve, Moved By Myles Sharp, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Ron Roland, Ella Holmes-Hines, Cara Pucheu

- 17** Request - approval of the 2017 Revision of the City of Gulfport Public Works Strategic Plan 2016-2020

Motion to Approve the request approving the 2017 Revision of the City of Gulfport Public Works Strategic Plan 2016-2020, Moved By Kenneth Casey, **Seconded by** R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Ron Roland, Ella Holmes-Hines, Cara Pucheu

- 18** Request - from Gulfport Main Street for a temporary street closure for the Christmas Gulfport Style Event to be held on December 2, 2017.

Motion to Approve the request from Gulfport Main Street for a temporary street closure for the Christmas Gulfport Style Event to be held on December 2, 2017, Moved By Kenneth Casey, **Seconded by** R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Ron Roland, Ella Holmes-Hines, Cara Pucheu

- 19** Request - from Mississippi Gulf Coast Marathon for a temporary street closure for the Mississippi Gulf Coast Marathon Event to be held on December 10, 2017.

Motion to Approve the request from Mississippi Gulf Coast Marathon for a temporary street closure for the Mississippi Gulf Coast Marathon Event to be held on December 10, 2017, Moved By Kenneth Casey, **Seconded by** R.Lee Flowers

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

- 20 Request - from Unity Festival, Inc. for street closure and concession sales for the 10th Annual Unity Festival, to be held on March 17, 2018.

Motion to Approve the request from Unity Festival, Inc., for street closure and concession sales for the 10th Annual Unity Festival, to be held on March 17, 2018, Moved By Kenneth Casey, **Seconded by** Myles Sharp

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

- 21 Request - for approval of job title change and job description in Police Department.

Motion to Approve the request approving the job title change and job description in the Police Department, Moved By Kenneth Casey, **Seconded by** Myles Sharp

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

Docket of Claims

- 22 Docket of Claims - to be approved through November 22, 2017.

Motion to Approve the Docket of Claims, in the amount of \$3,314,665.37, Moved By Kenneth Casey, **Seconded by** R.Lee Flowers

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

Routine Agenda

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

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

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

Approved on Routine Agenda

- 24 Letter - requesting permission to purchase 3 Excavators from NJPA Contract #042815-CEC - Public Works Department (Maintenance Garage) - to be made a part of the minutes.

Approved on Routine Agenda

- 25 Letter - regarding bid awarded by Purchasing for Fuel Dispenser Repairs for Gulfport Marina - Leisure Services-to be made a part of the minutes.

Approved on Routine Agenda

Public Agenda

The President called for comments during the Public Agenda.

No citizen addressed the Council during the Public Agenda.

Council Comments

Memorial Adjournment

- Ms. Sydney Elyse Pucheu
- Mrs. Joyce Marie Johnson

Executive Session

General Counsel advised that there was a need to enter Executive Session to discuss pending Litigation regarding the Harrison County Utility Authority, at the request of Councilmember Sharp. Upon hearing from Counsel, Motion to enter executive session at 2:20 P.M., Moved By R.Lee Flowers, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Ron Roland, Ella Holmes-Hines, Cara Pucheu

The Council entered executive session at 2:27 P.M. In attendance: Member of the Council: Kenneth Casey, Rusty Walker, Myles Sharp, and R.Lee Flowers, Mayor Billy Hewes, CAO Dr. John R. Kelly, General Counsel Hugh Keating, Clerk of Council Ronda Cole, and Deputy Clerk of Council Brittany Rodgers.

Motion to exit Executive Session at 3:22 P.M., Moved By Kenneth Casey, Seconded By Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Ron Roland, Ella Holmes-Hines, Cara Pucheu

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

Upon reconvening in an open meeting, no action was taken.

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 Ms. Sydney Elyse Pucheu and Mrs. Joyce Marie Johnson, until December 5, 2017 at 1:30 P.M. for a Regular Council Meeting, Moved by Kenneth Casey, Seconded by R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers

Absent: Ron Roland, Ella Holmes-Hines, Cara Pucheu

City Clerk

Mayor

Agenda Adjustments

- Delete Item #8, at the Administration's request
- Move Item #7 to Item #3 – A
- Add Ratification of approval of the Mississippi Aquarium's Bylaws and Board of Directors as Item #3 – B