



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, December 5, 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 21, 2017 at 1:30 P.M.

Present: CAO Dr. John R. Kelly, General Counsel Hugh Keating, **Councilmembers:** Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, and Cara Pucheu. **Absent:** Mayor Billy Hewes.

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

Agenda Order

Motion to Accept the Agenda as present, 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

Presentation Agenda

The President called for the Mayor's Report:

In the Mayor's absence CAO Dr. John R. Kelly presented the Mayor's Report:

Dr. Kelly called upon Director of Public Works, Wayne Miller, to present the Melvin Evans Service Awards. Employees presented include Johnnie Magee, James Hutchins, and John David Smith. Wendell Daniels Sr., Calvin Lewis, and Chris Hillard also received the award, but were unable to attend the presentation.

Around Town Happenings:

- Gulfport Kiwanis Pancake Day – Wednesday, December 6th – an event established in 1956 is the Gulfport Kiwanis Club's largest annual fundraiser. Over 2,500 plates of pancakes and sausage will be served from 7 A.M. to 7 P.M.

- Gulfport Bark Park – The Bark Park located on the corner of 34th St. & 8th Av. is now open 7 days a week. The Park features two separate spaces for large dogs and small dogs.

Holiday Happenings:

- Gulfport Harbor Lights – The Special Lighting Ceremony of Jones Park took place this past week, performed by Make-A-Wish children!
- Gulfport Harbor Lights Military Discount Night – Wednesday, December 6th – all active, retired, guard, and reserve personnel and their family will receive half-priced admissions.
- Sugarplum Saturday & Gulfport Christmas Parade – Events were held on Saturday, December 2nd and turned out to be a HUGE success; thousands of children and families enjoyed the FREE events.
- Christmas on the Bayou – Saturday, December 9th at 6 P.M. on Bayou Bernard.
- “Christmas in Mississippi” Movie Premiere – Saturday, December 9th at 7 P.M. and an Extended Director’s Cut, Christmas Day, Monday, December 25th – Filmed right here in Gulfport, “Christmas in Mississippi” captures the amazing spirit of our city and the Gulfport Harbor Lights – Winter Festival.

This Concluded the Mayor's Report.

Policy Issues

Minutes / Code Enforcement

- 1 Approval of minutes - for November 21, 2017.

Motion to Approve Minutes for November 21, 2017, Moved By R.Lee Flowers, Seconded by Kenneth Casey

Vote: Motion Carried By The Following Roll Call Vote

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

Abstain: 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 Code Enforcement Hearing, 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

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** 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

Resolutions

- 3 Resolution – approving Award and Contract to J.E. Borries, Inc. for the Ship Island Ferry Terminal (Pavilion and Pier) project and authorizing the Mayor (or designee) to execute the same.

Motion to Approve, 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

- 4 Resolution - Approving Award and Contract to LJ Construction, Inc. for the Nugent Area Gravity Sewer Improvements Project and authorizing the Mayor (or designee) to execute the same.

***Note - Councilmember Cara Pucheu Recused and removed herself from the Chambers during the discussion and vote on this item.**

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

Vote: Motion Carried By The Following Roll Call Vote

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

- 5 Resolution - approving Memorandum of Understanding with GBGC, LLC, d/b/a Gulf Coast Gunblasters to provide services for destruction of seized firearms 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

- 6 Resolution - approving Addendum to Disposition Services Agreement with Propertyroom.com for services related to the auction and disposition of police property 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

- 7 Resolution - approving Change Order No. 2 (Summary) to the contract with Jay Bearden Construction, Inc. for the West 28th Street Water Main Improvements, Phase 2 Project and authorizing the Mayor (or designee) 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

- 8 Resolution - by the Gulfport City Council, urging the Mississippi Legislature adopt legislation that will allow municipalities to submit debts owed to municipalities and to the State of Mississippi as a result of delinquent 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.

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

- 9 Resolution - authorizing acceptance of Mississippi Office of Homeland Security Grant for the Fire Department in the amount of \$100,000 and authorizing the Mayor 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

- 10 Resolution - authorizing acceptance of Mississippi Office of Homeland Security Grant for the Gulfport Fire Department in the amount of \$41,000 and authorizing the Mayor to execute the 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

- 11 Resolution - authorizing acceptance of Mississippi Office of Homeland Security Grant for the Gulfport Fire Department in the amount of \$10,000 and authorizing the Mayor to execute the same.

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, Cara Pucheu

- 12 Resolution - by the Gulfport City Council, 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 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

- 13 Budget Amendment #10 - permission to increase to FY17 H.I.D.T.A. budget in operating supplies for the Police Department.

Motion to Approve Budget Amendment #10, 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

- 14 Budget Amendment #11- to establish an account for the Sportsplex FF&E - Leisure Services Department.

Motion to Approve Budget Amendment #11, Moved By Ella Holmes-Hines, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

- 15 Budget Amendment #12 - to transfer funds to establish an account for the local match of the Ship Island Terminal Project.

Motion to Approve Budget Amendment #12, Moved By Ella Holmes-Hines, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

- 16 Docket of Claims - to be approved through December 6, 2017.

Motion to add invoice payment to Moran Hauling in the amount of \$205,519.63 by special check, and Approve the Docket of Claims in the amended amount of \$2,002,940.75, 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, 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, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

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

Approved on Routine Agenda

- 18 Privilege License Report - issued during the month of October, 2017 - to be made a part of the minutes.

Approved on Routine Agenda

- 19 Associated Adjuster's Check Register for workers' compensation and general liability claims paid during the months of September and October 2017 - to be made part of the minutes.

Approved on Routine Agenda

- 20 Year-To-Date Budget Report for the months ending September 30, 2017 and October 31, 2017, to be made part of the minutes.

Approved on Routine Agenda

- 21 Bi-weekly payroll journals for the months ending September 30, 2017 and October 31, 2017, to be made part of the minutes.

Approved on Routine Agenda

- 22 Letter - regarding bid awarded by Purchasing for Commerce water well repair - to be made a part of the minutes.

Approved on Routine Agenda

- 23 Letter - regarding bid awarded by Purchasing for Retro-Reflectometer - Public Works, Traffic Department - to be made a part of the minutes.

Approved on Routine Agenda

- 24 Letter of Recommendation - regarding bid awarded by Purchasing for Tee Shirts - Leisure Services Department - to be made a part of the minutes.

Approved on Routine Agenda

- 25 Letter of Recommendation - regarding acceptance of proposal by Music Associates, LLC for MS Coast Big Band Performance at 2017 Gulfport Harbor Light Show - to be made part of the minutes.

Approved on Routine Agenda

- 26 Approval - of 2018 City of Gulfport calendar - to be made a part of the minutes.

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 Saint James Blvd.

This concluded the Public Agenda.

Council Comments

Memorial Adjournment

- | | |
|-----------------------------|---------------------------------|
| • Mrs. Vertie M. Bradley | • Mr. Thomas Finley Hewes, M.D. |
| • Pastor Matthew Spikes | • Mr. James Hill Brown |
| • Mr. James Michael Ray | • Mr. Willie Ray Stokes |
| • Minister Geraldine Boykin | • Bishop Terry Hammett |

Executive Session

General Counsel advised that there was a need to enter Executive Session to discuss Broaddus litigation relative to the roof damages at the Dedeaux Road Community Center, and lease negotiations between Cspire and the City for the Milner Stadium cell tower. Upon hearing from Counsel, Motion to enter executive session at 2:10 P.M., 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, Cara Pucheu

The Council entered executive session at 2:12 P.M. In attendance: Member of the Council: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, and Cara Pucheu, CAO Dr. John R. Kelly, General Counsel Hugh Keating, Assistant City Attorney Margaret Murdock (out at 2:19 P.M.), City Attorney Jeff Bruni (in at 2:19 P.M.), Assistant City Attorney Dustin Uselton (in at 2:19 P.M.), Clerk of Council Ronda Cole, and Deputy Clerk of Council Brittany Rodgers.

Motion to exit Executive Session at 2:47 P.M., 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

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 resolve the Broaddus Case for the amounts and terms discussed in Executive Session to the extent that they're able to do so, 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

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 Mrs. Vertie M. Bradley, Pastor Matthew Spikes, Mr. James Michael Ray, Minister Geraldine Boykin, Mr. Thomas Finley Hewes, M.D., Mr. James Hill Brown, Mr. Willie Ray Stokes, and Bishop Terry Hammett, until December 19, 2017 at 1:30 P.M. for a Regular Council Meeting, 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, Cara Pucheu

City Clerk

Mayor