



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, January 16, 2018

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 January 2, 2018 at 1:30 P.M.

Present: Mayor Billy Hewes, General Counsel Hugh Keating, **Councilmembers:** Kenneth Casey, Ron Roland (in at 1:32 P.M.), Ella Holmes-Hines, Rusty Walker, Myles Sharp, and Cara Pucheu. **Absent:** R.Lee Flowers

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

Agenda Order

Motion to Accept the agenda with the following adjustments; delete Item #3 and Item #32, at the request of the Administration, 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, Cara Pucheu

Absent: R.Lee Flowers

Presentation Agenda

The President called for the Mayor's Report:

The Mayor called upon Police Chief, Leonard Papania, to present Commander Chris Ryle with a 20 year Service Pin.

After which, Fire Chief Mike Beyerstedt came forward with two presentations. First, Gulfport Fire Department Engineer Joe Abercrombie was presented with an award acknowledging his outstanding test score on the recent promotional exam. Performance Testing Systems, who has been administering this test for 15 years with over 6,000 firefighters taking the test, notified Chief Beyerstedt that Engineer Abercrombie scored a 99.28%. This is the highest score ever recorded on this exam. Chief Beyerstedt then presented Skylar Bush with a citizen award for his bravery in rescuing an elderly couple from a recent house fire in his neighborhood.

The Mayor advised that Cold Weather Shelters would be open from Tuesday thru Thursday at 2019 22nd Street, The Salvation Army. They are in need of volunteers, blankets and paper products.

This Concluded the Mayor's Report.

Policy Issues

Minutes

- 1 Approval of minutes - for January 2, 2018.

Motion to Approve minutes for January 2, 2018, 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, Cara Pucheu

Absent: R.Lee Flowers

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 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

Absent: R.Lee Flowers

The Following Citizen addressed the Council:

- Greg Parnell – Resident of 331 Commerce Street

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

Absent: R.Lee Flowers

- 3 Certificate of Resubdivision - dividing one parcel into two zoned R-2 (Single Family): located north of 29th Street, south of and adjacent to 30th Street, east of 25th Avenue, and west of 23rd Avenue - Case # 1710PC113 - Ward 3.

- Deleted -

- 4 Certificate of Resubdivision - dividing parcels into two parcels zoned I-3 (Planned Industrial Park) and I-2 (Heavy industry districts): located north of Bayou Circle, south of and adjacent to Seaway Road, east of Goldin Lane, and west of Logan Cline Drive - Case # 1710PC124 - Ward 5.

Motion to Approve Certificate of Resubdivision, 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, Cara Pucheu

Absent: R.Lee Flowers

- 5 Certificate of Resubdivision - dividing one tax parcel into two zoned B-2 (General Business): located north of Pass Road, south of and adjacent 26th Street, east of 19th Avenue, and west of and adjacent of 18th Avenue - Case # 1712PC138 - Ward 3.

Motion to Approve Certificate of Resubdivision, 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

- 6 Ordinance - rezoning property from B-2 (General Business) to R-B (Residential Business): located north of Pass Road, south of 28th Street, east of 20th Avenue, and west of and adjacent to 19th Avenue - Case # 1712PC137 - Ward 3.

Motion to Suspend the rules, 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, Cara Pucheu

Absent: R.Lee Flowers

Motion to Adopt Ordinance, Moved By Cara Pucheu, **Seconded by** Myles Sharp

Vote: Motion Carried By The Following Roll Call Vote

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

Nay: Ella Holmes-Hines

Absent: R.Lee Flowers

- Ordinance 2936

- 7 Ordinance - rezoning property from R-4 (General Residence) to B-2 (General Business): located north of Woodley Drive, south of and adjacent to Lorraine Road, east of Highway 605, and west of Gould Road - 1712PC142 - Ward 6.

Motion to Adopt Ordinance, 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, Cara Pucheu

Absent: R.Lee Flowers

- Ordinance 2937**Resolutions / Requests**

- 8 Order - by the Gulfport City Council, pursuant to Miss. Code Ann. §17-21-5(2), (rev. 2003, as amended), authorizing an exemption from municipal ad valorem taxes, excluding school district taxes, based on the increase in assessed value for qualifying capital improvement investments in qualifying structures in the designated redevelopment district, south of the CSX railroad tracks extending from the western city boundary to the eastern city boundary of the newly constructed structure located at 521 Second Street, Gulfport, Mississippi, in the first judicial district of Harrison County, and identified as parcel number 0911F-01-017.000.

Motion to Approve Order, 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, Cara Pucheu

Absent: R.Lee Flowers

- 9 Resolution - approving award to Citysourced, Inc., and approving Agreement between the City of Gulfport and Citysourced, Inc., for Software Development Application Services, and authorizing the Mayor (or designee) to execute the same.

Motion to Approve, Moved By Ella Holmes-Hines, **Seconded by** Ron Roland

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

- 10** Resolution - approving and accepting the 2017 Funding and Grant Agreements for CDBG and HOME Entitlement from the U.S. Dept. of HUD 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, Cara Pucheu

Absent: R.Lee Flowers

- 11** Resolution - approving Memorandum of Understanding with Langley Productions, Inc., and authorizing the Mayor (or designee) to execute the same.

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

Motion to Table, Moved By Ella Holmes-Hines, **Seconded by** Rusty Walker

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

- 12** Resolution - approving public display of fireworks at the culmination of the Sounds by the Sea, Harrison County concert event, and for related purposes.

Motion to Approve, 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, Cara Pucheu

Absent: R.Lee Flowers

- 13** Resolution - declaring certain and various firearms and other items of personal property to be surplus property which is no longer used or needed by the municipality and declared to have no value to the municipality and authorizing trade of said items of municipal personal property 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, Cara Pucheu

Absent: R.Lee Flowers

- 14** Resolution - authorizing an expenditure for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport at the 2018 Krewe of Gemini Mardi Gras parades and for related purposes.

Motion to Table, Moved By Ella Holmes-Hines, **Seconded by** Rusty Walker

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

Motion to Take off the Table, 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, Cara Pucheu

Absent: R.Lee Flowers

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, Cara Pucheu

Absent: R.Lee Flowers

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

Motion to Approve, Moved By Ella Holmes-Hines, **Seconded by** Ron Roland

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

- 16** 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** Myles Sharp

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

- 17** Request - from Finance Department to appropriately classify all existing capital related accounts within the same category of the budget (i.e. reclassifying any capital related accounts currently included in Other Services (62) to Capital Projects (64)).

Motion to Approve request from Finance Department to appropriately classify all existing capital related accounts within the same category of the budget (i.e. reclassifying any capital related accounts currently included in Other Services (62) to Capital Projects (64)), Moved By Ella Holmes-Hines, Seconded by Ron Roland

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

- 18** Request - for permission to accept Grant Funding from State Farm Insurance - Arson Detection Canine Program - Gulfport Fire Department.

Motion to Approve request for permission to accept Grant Funding from State Farm Insurance - Arson Detection Canine Program - Gulfport Fire Department, 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

- 19** Request - for permission to accept Community Grant Funding from Walmart for Daddy Daughter Dance Event - Leisure Services Department.

Motion to Approve request for permission to accept Community Grant Funding from Walmart for Daddy Daughter Dance Event - Leisure Services Department, 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, Cara Pucheu

Absent: R.Lee Flowers

Budget Amendments / Docket of Claims

- 20** Budget Amendment # 16 - for permission to increase to FY17 H.I.D.T.A. budget in operating supplies for the Police Department.

Motion to Approve Budget Amendment # 16, 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, Cara Pucheu

Absent: R.Lee Flowers

- 21** Budget Amendment # 17- to establish an account for Sportsplex Marketing to purchase items listed in the Sportsplex Marketing package.

Motion to Approve Budget Amendment # 17, 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, Cara Pucheu

Absent: R.Lee Flowers

- 22** Docket of Claims - to be approved through January 17, 2018.

Motion to approve the Docket of Claims in the amount of \$4,025,853.68, 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

Routine Agenda

Motion to Approve the Routine Agenda as amended, 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, Cara Pucheu

Absent: R.Lee Flowers

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

Approved on Routine Agenda

- 24** Ratification - of Amendment to the Agreement with the Natural Resources Conservation Service for the Emergency Watershed Protection Project - River Road, Qubbie Creek, Northwood Hills North at Flat Branch.

Approved on Routine Agenda

- 25 Privilege License - issued during the month of November, 2017 - to be made a part of the minutes.

Approved on Routine Agenda

- 26 Public Records Request - for the month of December 2017 - to be made a part of the minutes.

Approved on Routine Agenda

- 27 Check Register from Associated Adjusters for workers' compensation and general liability claims for the month of December 2017, to be made part of the minutes.

Approved on Routine Agenda

- 28 Bi-weekly payroll reports for the month of December 2017, to be made part of the minutes.

Approved on Routine Agenda

- 29 Year-To-Date Budget Report for the month of December 2017, to be made part of the minutes.

Approved on Routine Agenda

- 30 Request - for flexible spending account correction - to be made a part of the minutes.

Approved on Routine Agenda

- 31 Letter - request permission to purchase of logos for the Gulfport Sportsplex - to be made a part of the minutes.

Approved on Routine Agenda

- 32 Letter of Recommendation regarding the purchase of Shade Structures from NJPA Contract for the Gulfport Sportsplex Expansion Project.

- Deleted -

- 33 Letter of recommendation - regarding bids received by Purchasing for traffic supplies - to be made a part of the minutes.

Approved on Routine Agenda

- 34** Legal Notice - regarding bids for Trenchless Pipe Inspection, Cleaning and Repair Unit Price Contract.

Approved on Routine Agenda

- 35** Legal Notice - advertisement for bids for Gulfport Building Repairs and Construction Unit Price Project - 2018.

Approved on Routine Agenda

- 36** Legal Notice - advertisement for bids for Roof Replacement on Gaston Point Recreation Center Gym.

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
- Christy Carter Bridges – Resident of 15035 Martin Luther King Jr Blvd

This Concluded the Public Agenda.

Council Comments

Memorial Adjournment

- Mr. James R. Harper
- Mr. John H. Dawson
- Ms. Debra Ann Atlas
- Mr. Peter Allen Nord
- Mr. Ausker James Dedeaux Sr.

Executive Session

Upon the advice of the General Counsel, Motion to enter closed session to determine the need for executive session, 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, Cara Pucheu

Absent: R.Lee Flowers

The Council entered closed session at 2:42 P.M. In attendance were Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, and Cara Pucheu, Mayor Billy Hewes, CAO Dr. John R. Kelly, General Counsel Hugh Keating, City Attorney Jeff Bruni, Director of Urban Development Greg Pietrangelo, Chief of Police Leonard Papania, Clerk of Council Ronda Cole (in at 2:44 P.M.), and Deputy Clerk of Council Brittany Rodgers. The Council discussed the need to enter executive session to discuss litigation and potential litigation.

Motion to exit closed session at 2:48 P.M., 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, Cara Pucheu

Absent: R.Lee Flowers

General Counsel advised that there was a need to enter Executive Session to discuss matters relating to litigation and potential litigation. Upon advise of General Counsel, Motion to enter executive session at 2:48 P.M., 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, Cara Pucheu

Absent: R.Lee Flowers

The Council entered executive session at 2:49 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp (out at 2:50 P.M. & in at 2:56 P.M.), and Cara Pucheu, Mayor Billy Hewes, CAO Dr. John R. Kelly, General Counsel Hugh Keating, City Attorney Jeff Bruni, Director of Urban Development Greg Pietrangelo, Clerk of Council Ronda Cole, and Deputy Clerk of Council Brittany Rodgers.

Motion to exit Executive Session at 3:16 P.M., 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, Cara Pucheu

Absent: R.Lee Flowers

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:

***Councilmember Sharp recused and removed himself from the chambers during the discussion and vote on this item.**

Motion to waive any potential conflict of interest that may exist respect to the law firm of Deutsch Kerrigan LLP and its attorneys in connection with the case of Jasmine Walker v. City of Gulfport, et al. in the County Court of Harrison County, First Judicial District, Mississippi and to authorize the City Attorney's Office to do any and all acts necessary to effectuate this waiver of conflict, Moved By Ella Holmes-Hines, Seconded by Ron Roland

Vote: Motion Carried By The Following Roll Call Vote

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

Recused: Myles Sharp

Absent: R.Lee Flowers

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 Mr. James R. Harper, Mr. John H. Dawson, Ms. Debra Ann Atlas, Mr. Peter Allen Nord, and Mr. Ausker James Dedeaux Sr., until February 6, 2018 at 1:30 P.M. for a Regular Council Meeting, 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, Cara Pucheu

Absent: R.Lee Flowers

City Clerk

Mayor