



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, February 20, 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 February 6, 2018 at 1:30 P.M.

Present: Mayor Billy Hewes, Assistant City Attorney Margaret Murdock, **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 as presented, 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:

Mayor Hewes first presented Christin LeBoeuf and Kerry Boylan of the American Heart Association Team with a proclamation declaring February 2018 American Heart Month. Secondly, journalism students from West Harrison High School were presented with a proclamation proclaiming February 18-25 National Journalism Week at West Harrison High School.

The Mayor then congratulated the Gulfport High School Boys Soccer Team for claiming the State Title in Ridgeland against Madison-Central. The team will be present at the March 6th Council Meeting. Mayor Hewes also wished our local High School Boys and Girls Basketball Teams that have advanced to the State Playoffs "Good Luck!". The Gulfport High Boys will be playing tonight in Petal and the Gulfport High Girls will host Ocean Springs in Gulfport, Friday, February 23rd at 7 P.M. The Harrison Central Boys will host Oak Grove tonight at 7 P.M. and the Harrison Central Girls will play St. Martin Friday at 7 P.M.

Mayor Hewes gave a brief update on progress starting to occur at both the Aquarium and Centennial Plaza.

Chris Vignes was called up by the Mayor to update of upcoming events. Senior PGA Tournament, The Rapiscan Systems Golf Classic, will be held March 19 - 25th at Fallen Oak Golf Course. This event was previously known as the Mississippi Gulf Resort Classic presented by CSpire. The Mayor's Youth Council will meet at City Hall, February 23rd at 6 P.M. for a special meeting commemorating Black History Month with leaders from the community.

Lastly, Mayor Hewes, alongside Linda Elias and Dr. John R. Kelly, presented a proclamation to Danny Ray Meadors for his 40 year anniversary with the City of Gulfport.

This Concluded the Mayor's Report.

Policy Issues

Minutes / Appointment

- 1 Approval of minutes - for February 6, 2018.

Motion to Approve minutes for February 6, 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, R.Lee Flowers, Cara Pucheu

- 2 Ratification - of re-appointment to the Gulfport School District Board of Trustees.

Motion to Approve the ratification of reappointment to the Gulfport School District Board of Trustees, 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

- 3 Ratification - of re-appointment to the Gulf Regional Planning Commission Board of Commissioners.

Motion to Approve the ratification of reappointment to the Gulf Regional Planning Commission Board of Commissioners, 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

Code Enforcement / Planning / Ordinances

- 4 Objection - Certificate of Resubdivision - divide the tax parcel into four parcels, zoned B-1 and R-2: located north of Sundown Lane, south of and adjacent to W Taylor Road, east of and adjacent to Carl Legett Road, and west of and adjacent to Lorraine Road - Case # 1801PC005 - Ward 4.

* Councilmember Pucheu recused and removed herself from the Chambers during the discussion and vote on this item.

Motion to Postpone until the next regularly scheduled meeting, to be held on March 6, 2018, at the request of the applicant, 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

Recused: Cara Pucheu

- 5 Certificate of Resubdivision - divide the tax parcel into two parcels zoned T3: located north of and adjacent to Church Street, south of East Pass Road, east of Watkins Avenue, and west of Cowan Road - Case # 1801PC002 - Ward 2.

Motion to Approve Certificate of Resubdivision, 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

- 6 Certificate of Resubdivision - divide the tax parcels into two parcels zoned R-2: located north of Bernard Bayou, south of and adjacent to Channelside Drive, east of Lorraine Road, and west of Bayou Plantation Lane - Case # 1801PC014 - Ward 5.

Motion to Approve Certificate of Resubdivision, 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

- 7 Ordinance - rezone the tax parcel from I-2 to I-3: located north of and adjacent to Seaway Road, south of Interstate 10, east of Three Rivers Road, and west of and adjacent to Outdoor Way - Case # 1801PC015 - Ward 5.

Motion to Adopt Ordinance, 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

- Ordinance 2938 -

- 8 Ordinance - providing for the salary of compensation for certain positions of the City of Gulfport, 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 2939 -

- 9 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** 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

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

- 10 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 structure in the designated Redevelopment District, south of the CSX Railroad tracks from the western city boundary to the eastern city boundary of the newly constructed structure located at 160 Phillips Drive, Gulfport, Mississippi, in the First Judicial District of Harrison County, and identified as parcel number 1011D-03-004.007 and for related purposes.

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, R.Lee Flowers, Cara Pucheu

- 11 Resolution - approving Amendment No. 1 to Agreement with Dukes, Dukes, Keating & Faneca, 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, Cara Pucheu

- 12** Resolution - approving and authorizing acceptance of donated real property and authorizing the Mayor to execute any and all documents as may be required to effectuate the acceptance of the same.

Motion to Table, 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

- 13** Resolution - requesting sale of sidearm to Deputy Commander Mark G. Burns 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, Cara Pucheu

- 14** Recommendation - requesting acceptance of Landon Green Subdivision Phase 1 - Water and Sewer Improvements only.

Motion to Approve Recommendation requesting acceptance of Landon Green Subdivision Phase 1, Water and Sewer Improvements only, 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, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 15** Request - permission for street closures for the 3rd Annual Chandy Fest scheduled for Saturday, April 7, 2018.

Motion to Approve Request for permission for street closures for the 3rd Annual Chandy Fest, scheduled for Saturday, April 7, 2018, 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

- 16** Request - permission for street closures for the Gulfport Harbor Lights Winter Festival Parade scheduled for December 1, 2018.

Motion to Approve Request for permission for street closures for the Gulfport Harbor Lights Winter Festival Parade, scheduled for December 1, 2018, 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

Budget Amendments / Docket of Claims

- 17** Budget Amendment #18 - to record new CDBG and HOME grant budgets and carry forward prior years' grant balances into the FY 18 budget.

Motion to Approve Budget Amendment #18, 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

- 18** Budget Amendment #19 - to transfer funds received from Wireless Communication money and Police Contractual.

Motion to Approve Budget Amendment #19, 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

- 19** Docket of Claims - to be approved through February 21, 2018.

Motion to Approve the Docket of Claims with the addition of the following invoices payable to: TCB Construction, in the amount of \$198,189.67, David Rush Construction, in the amount of \$140,673.78, and Mississippi Aquarium, up to \$100,000.00, for Aquarium Operating Budget, with monthly accounting to be ratified by the City Council, **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, 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, Cara Pucheu

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

Approved on Routine Agenda

- 21** Public Records Request - for the month of January 2018 - to be made a part of the minutes.

Approved on Routine Agenda

- 22 Bi-weekly payroll reports - for the month of January 2018 - to be made part of the minutes.

Approved on Routine Agenda

- 23 Check Register - from Associated Adjusters for workers' compensation and general liability claims for the month of January 2018 - to be made part of the minutes.

Approved on Routine Agenda

- 24 Year-To-Date Budget Report - for the month of January 2018 - to be made part of the minutes.

Approved on Routine Agenda

- 25 Letter - requesting permission for a one time purchase of credit card machine to enable implementation of convenience fee approved by Council January 6, 2018 - to be made a part of the minutes

Approved on Routine Agenda

- 26 Letter of Recommendation regarding the purchase of two (2) each Tandem Axle Dump Trucks for the Department of Public Works.

Approved on Routine Agenda

- 27 Letter - regarding bid awarded by Purchasing for envelopes - Utility Billing - to be made a part of the minutes.

Approved on Routine Agenda

- 28 Letter - regarding bid awarded by Purchasing for radio interconnect - Traffic Department - to be made a part of the minutes.

Approved on Routine Agenda

- 29 Conveyance Deed - regarding transfer of ownership of space in Evergreen Gardens Cemetery.

Approved on Routine Agenda

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

Approved on Routine Agenda

Public Agenda

The President called for comments during the Public Agenda.

The Following Citizen(s) addressed the Council:

- Richmond Vincent - Goodwill Industries, located at 2407 31st Street

This Concluded the Public Agenda.

Council Comments

Memorial Adjournment

- CSM Liddell McNair
- Ms. Joyce Irene Winters
- Mr. Kenneth Joseph Charlottes
- Mr. Morris G. Jones
- Mr. John W. Kelly
- Master Ayden Trevues-Oshun Ball
- Mr. Leslie Homer Martin, Jr.

Executive Session

Upon the advice of the Assistant City Attorney, motion to enter Closed Session, 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

The Council entered Closed Session at 2:14 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, and Cara Pucheu, Mayor Billy Hewes, CAO Dr. John R. Kelly, Assistant City Attorney Margaret Murdock, Assistant City Attorney Dustin Uselton, Director of Engineering Kris Riemann, Clerk of Council Ronda Cole, and Deputy Clerk of Council Brittany Rodgers. The Council discussed the need to enter Executive Session to discuss pending litigation, prospective litigation regarding Dedeaux Utilities, and real property donation.

Motion to exit Closed Session at 2:15 P.M., 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, Cara Pucheu

Motion to enter Executive Session at 2:18 P.M., 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

In attendance were the previously mentioned with the addition of City Attorney Jeff Bruni (in at 2:31 P.M.).

Motion to exit Executive Session at 3:34 P.M., 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

Assistant City Attorney Margaret Murdock stated that no official action was taken in Executive Session.

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

Motion to approve and authorize acceptance of donated real property, to authorize the Mayor to execute any and all documents related to this conveyance and/or as may be required to effectuate the acceptance of the same, and for related purposes, Moved By Myles Sharp, Seconded by Cara Pucheu

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

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 CSM Liddell McNair, Ms. Joyce Irene Winters, Mr. Kenneth Joseph Charlottes, Mr. Morris G. Jones, Mr. John W. Kelly, Master Ayden Trevues-Oshun Ball, and Mr. Leslie Homer Martin, Jr., until March 6, 2018 at 1:30 P.M. for a Regular Council Meeting, 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

City Clerk

Mayor