



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, July 10, 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 June 19, 2018 at 1:30 P.M.

Present: Mayor Billy Hewes, General Counsel Hugh Keating, **Councilmembers:** Kenneth Casey, Ron Roland, Ella Holmes-Hines (in at 1:42 P.M.), 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 adjustment, swap the order of items 4 and 5, Moved By Myles Sharp, 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

Absent: Ella Holmes-Hines

Presentation Agenda

The President called for the Mayor's Report.

The Mayor called for Francisco Gonzales and the architects to give an update on the Brown Condor Museum. After which, Mr. David Kimmel and Roy Anderson Corporation gave an update on the Mississippi Aquarium Construction Progress.

Upcoming Events:

- Cinema by the Shore - Friday, July 20 at Jones Park showing "Moana" - activities begin at 6:30 P.M. and movie starts at 8 P.M. (dusk).
- Back to School Health & Wellness Fair - Saturday, August 4 from 9 A.M. until Noon at the Barksdale Pavilion at Jones Park - free health screenings, over 50 local health and wellness organizations, giveaways, and free backpacks.
- The Gulfport Harbor Market - Open each Wednesday from 9 A.M. until 1 P.M. in Jones Park - fresh produce, plants, meats, cheeses and more! Support our local farmers!

Mayor Hewes also congratulated the Gulfport Fire Department on receiving a Class 2 Fire Protection Rating. Gulfport now holds the highest rating and is the first to ever receive a Class 2 rating in the history of the State. This rating puts the Gulfport Fire Department in the Top 2% of all Fire Departments in the Nation.

This concluded the Mayor's Report.

Policy Issues

Minutes / Committee Report

- 1 Approval of minutes - for June 19, 2018.

Motion to Approve minutes for June 19, 2018, 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

- 2 Special Committee Report - Master Services Agreements.

Motion to Postpone the Special Committee Report for Master Services Agreements until July 17, 2018, 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

Code Enforcement / Planning / Ordinances

- 3 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 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

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

- 4 Ordinance - rezone the tax parcel from R-2 (Single-family) to R-B (Residential Business): located north of Bernard Bayou, south of and adjacent to Sundown Drive, east of Carl Legett Road, and west of and adjacent to Cowan-Lorraine Road - Case # 1805PC049 - Ward 4.

*** Councilmembers Ron Roland, Rusty Walker and Cara Pucheu recused and removed themselves from the Chambers during the discussion and vote on this item. Council Vice President Myles Sharp served as acting President during this item.**

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent and Recused: Ron Roland, Rusty Walker, Cara Pucheu

- Ordinance 2950 -

- 5 Ordinance - to rezone a tax parcel from R-2 (Single-Family) to R-B (Residential Business): located north of Bernard Bayou, south of and adjacent to Sundown Drive, east of Carl Legett Road, and west of and adjacent to Cowan-Lorraine Road, - Case # 1805PC050 - Ward 4.

*** Councilmembers Ron Roland, Rusty Walker and Cara Pucheu recused and removed themselves from the Chambers during the discussion and vote on this item. Council Vice President Myles Sharp served as acting President during this item.**

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

The following individuals addressed the Council:

- Attorney Donovan Scruggs, representing 9P Holdings (applicant).
- Jacques Pucheu, representing 9P Holdings (applicant).
- Attorney Christian Strickland, representing the Mavars (objectors).
- Attorney Joe Sam Owen, representing objectors.
- Attorney John Scanlon, representing 9P Holdings (applicant).

General Counsel advised that there was a need to enter Executive Session to discuss pending litigation that is on appeal with the Supreme Court and potential litigation regarding this particular proceeding. Upon hearing from Counsel, Motion to enter Executive Session at 3:19 P.M., Moved By R.Lee Flowers, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent and Recused: Ron Roland, Rusty Walker, Cara Pucheu

The Council entered Executive Session at 3:23 P.M. In attendance: Members of the Council: Kenneth Casey, Ella Holmes-Hines, Myles Sharp, and R.Lee Flowers, Mayor Billy Hewes, General Counsel Hugh Keating, CAO Dr. John R. Kelly, and Clerk of Council Brittany Rodgers. Absent and Recused: Members of the Council: Ron Roland, Rusty Walker, and Cara Pucheu.

Motion to exit Executive Session at 3:42 P.M., Moved By R.Lee Flowers, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent and Recused: Ron Roland, Rusty Walker, Cara Pucheu

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

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

The following vote was taken on the pending motion:

Vote: Motion Carried By The Following Roll Call Vote

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

Nay: Ella Holmes-Hines

Absent and Recused: Ron Roland, Rusty Walker, Cara Pucheu

- Ordinance 2951 -

- 6 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 Cara Pucheu, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ella Holmes-Hines, Myles Sharp, Cara Pucheu

Absent: Ron Roland (out of room), Rusty Walker (out of room), R.Lee Flowers (out of room)

- Ordinance 2952 -

- 7 Objection - of Planning Commission Recommendation for 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.

Motion to Postpone Certificate of Resubdivision until September 18, 2018, Moved By Kenneth Casey, Seconded by Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ella Holmes-Hines, Myles Sharp, Cara Pucheu

Absent: Ron Roland (out of room), Rusty Walker (out of room), R.Lee Flowers (out of room)

- 8 Final Plat - corrections to previously approved Final Plat for The Westwood District Florence Gardens Phase IV - Case # 1801PC016 - Ward 6.

Motion to Approve the corrected Final Plat for The Westwood District Florence Gardens Phase IV, Moved By Ella Holmes-Hines, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ella Holmes-Hines, Myles Sharp, Cara Pucheu

Absent: Ron Roland (out of room), Rusty Walker (out of room), R.Lee Flowers (out of room)

Resolutions / Request

- 9 Resolution - appointing Brittany L. Rodgers to the position of Clerk of Council.
- Motion to Approve, Moved By Kenneth Casey, Seconded by Ella Holmes-Hines**
- Vote:** Motion Carried By Unanimous Roll Call Vote
Aye: Kenneth Casey, Ella Holmes-Hines, Myles Sharp, Cara Pucheu
Absent: Ron Roland (out of room), Rusty Walker (out of room), R.Lee Flowers (out of room)
- 10 Resolution - approving award to W.C. Fore Trucking, Inc. for the Brickyard Bayou Drainage Improvements Project - Phase 2B, and approving contract between the City of Gulfport and W.C. Fore Trucking, Inc. and authorizing the Mayor to execute the same.
- Motion to Approve, Moved By Ella Holmes-Hines, Seconded by Kenneth Casey**
- Vote:** Motion Carried By Unanimous Roll Call Vote
Aye: Kenneth Casey, Ella Holmes-Hines, Myles Sharp, Cara Pucheu
Absent: Ron Roland (out of room), Rusty Walker (out of room), R.Lee Flowers (out of room)
- 11 Resolution - approving Letter Agreement No. 1 with Mississippi Engineering Group, LLC., for the Dedeaux Road Improvements Project - Phase I 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, Ella Holmes-Hines, Myles Sharp, Cara Pucheu
Absent: Ron Roland (out of room), Rusty Walker (out of room), R.Lee Flowers (out of room)
- 12 Resolution - approving change order #1 with Gulf Breeze Landscaping, Inc., for the Pier Damages Repairs cause by Hurricane Nate Project and authorizing the Mayor 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, Ella Holmes-Hines, Myles Sharp, Cara Pucheu
Absent: Ron Roland (out of room), Rusty Walker (out of room), R.Lee Flowers (out of room)
- 13 Resolution - approving Change Order #4 to the contract with Moran Hauling, Inc., for the Coffee Creek Drainage Improvements Project, 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, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
Absent: Ron Roland (out of room)

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- 14** Resolution - approving Certificate of Substantial Completion for the Benefield Sewer Improvements Project and authorizing the Mayor to execute the same.
- 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
- 15** Resolution - approving sale of sidearm to Sergeant Elfren Acosta 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** Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, and Cara Pucheu, **Seconded by** Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, and 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
- 16** Resolution - accepting the Fiscal Year 2017 Justice Assistance Grant (JAG) and authorizing the Mayor to execute the same.
- Motion to Approve, 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
- 17** Resolution - approving Application with KCS for License to install pipeline for the U.S. Highway 49 at 18th Street Drainage Improvements Project and authorizing the Mayor to execute the same.
- 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
- 18** 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** 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
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- 19 Request - permission to complete construction of the Flat Branch NRCS Project using the Gulfport Repair & Replacement Unit Price Project Contract with DNA Underground, LLC.

Motion to Approve Request for permission to complete construction of the Flat Branch NRCS Project using the Gulfport Repair & Replacement Unit Price Project Contract with DNA Underground, LLC., 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

Budget Amendments / Docket of Claims

- 20 Budget Amendment #38 - to transfer funds received from Propertyroom.com within the Police Department.

Motion to Approve Budget Amendment #38, 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

- 21 Budget Amendment #39 - to transfer funds received from Harrison county Tax Collector Lot Assessments to Urban Development.

Motion to Approve Budget Amendment #39, 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

- 22 Budget Amendment #40 - to obligate funds for the 2018 Gulfport Harbor Lights Winter Festival.

Motion to Approve Budget Amendment #40, 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

- 23 Docket of Claims- to be approved through July 11, 2018.

Motion to Approve the Docket of Claims in the amount of \$2,124,596.64, 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

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

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

Approved on Routine Agenda

- 25 Ratification - of GRC Line of Credit expenditures - to be made a part of the minutes.

Approved on Routine Agenda

- 26 Public Records Report - for the month of May 2018 - to be made a part of the minutes.

Approved on Routine Agenda

- 27 Year-To-Date Budget Report - for the month of May 2018 - to be made a part of the minutes.

Approved on Routine Agenda

- 28 Privilege License Report - for the month of April 2018 - to be made a part of the minutes.

Approved on Routine Agenda

- 29 Privilege License Report - for the month of May 2018 - to be made a part of the minutes.

Approved on Routine Agenda

- 30 Letter - requesting authorization to engage Universal Concepts for installation and break-down services for the 2018 Gulfport Harbor Lights Winter Festival.

Approved on Routine Agenda

- 31 Letter - regarding bid awarded by Purchasing to Lyman Well Company LLC for Gould's Four Stage Pump Replacement - Water Department - to be made a part of the minutes.

Approved on Routine Agenda

- 32 Letter - regarding bid awarded by Purchasing to Sellmark for Rifle Reflex Sights - Police Department - to be made a part of the minutes.

Approved on Routine Agenda

- 33 Letter - regarding bid awarded by Purchasing to Gulf States Distributors for Rifle Accessories - Police Department - to be made a part of the minutes.

Approved on Routine Agenda

- 34 Letter - regarding bid awarded by Purchasing to IT SAVVY for computer equipment - IT Department - to be made a part of the minutes.

Approved on Routine Agenda

- 35 Letter - regarding bid awarded by Purchasing to IT SAVVY, LLC for Hard Drive Destroyer - Information Technology - to be made a part of the minutes.

Approved on Routine Agenda

- 36 Letter of Recommendation - regarding services provided by Turf Masters for the 2018 Gulfport Harbor Lights Winter Festival.

Approved on Routine Agenda

- 37 Legal Notice - advertisement for bids for the purchase of one (1) each new and unused valve insertion system for the Department of Public Works.

Approved on Routine Agenda

- 38 Acceptance - letter of resignation of Ronda S. Cole, Clerk of Council.

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 The Sugar Mill Apartments

This concluded the Public Agenda.

Council Comments

Memorial Adjournment

- Ms. Princess A. James
- Mrs. Christie Lynne Ham

Executive Session

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. Princess A. James and Mrs. Christie Lynne Ham, until July 17, 2018 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, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu



City Clerk



Mayor