



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, July 2, 2019

1:30 PM

*Gulfport City Hall
Council Chambers*

1:30 P.M. Invocation, Pledge of Allegiance, Call to Order

The Members of Council met at City Hall at 1:30 P.M., on the above date, same being an adjourned meeting from a Special Call Meeting held on June 27, 2019 at 11:30 A.M.

Present: CAO Dr. John Kelly, General Counsel Hugh Keating, Clerk of Council Brittany Rodgers, **Councilmembers:** Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp (in at 1:47 P.M.), R.Lee Flowers, and Cara Pucheu.

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

Agenda Order

Motion to Accept the Agenda with the following adjustment, add as item 6 - A - Resolution - commending the life, service and dedication of the former Gulfport City Councilmember Jimmie Tyrone Jenkins and expressing deepest sympathy to his family and friends on the occasion of his death, Moved By R.Lee Flowers, Seconded by Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Presentation Agenda

- **Mayor's Report**

Policy Issues

Code Enforcement / Planning

- 1** 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, Ron Roland, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

There being no one present to object or address the Council, Motion to Close the Hearing and Approve the Resolution, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

Attachment(s):

[Resolution - Authorizing Advertisement for Bids - Signed](#)

- 2** Certificate of Resubdivision - divide one parcel into three parcels zoned T3 (Sub-urban Zone) - 1215 Pine Street - Case # 1905PC058 - Ward 4 - with Objection.

Motion to Approve, Moved By R.Lee Flowers, **Seconded by** Cara Pucheu

The following addressed the Council:

- Malcom Jones - Attorney (Objection)
- Virgil G. Gillespie - Attorney (Applicant)
- Larry L. "Pete" Snell (Against)
- Claudine Forbes (Against)
- Planning Administrator Greg Holmes
- Bobby Heinrich (Applicant)

*** Applicant withdrew the Application ***

Withdraw Motion, Moved By R.Lee Flowers, **Seconded by** Cara Pucheu

Motion to Delete, 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, R.Lee Flowers, Cara Pucheu

Ordinances

- 3** Ordinance - to rezone five tax parcels from T6 (Urban core) to T4+ (General Urban Zone "Plus"), located on E Cedar Drive, Ocean View Drive, Laurel Drive - Case # 1905PC051 - Ward 2

Motion to Adopt Ordinance, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

- Ordinance 3004 -

Attachment(s):

[Ordinance 3004 - Signed](#)

- 4** Ordinance - amending the City of Gulfport Flood Damage Prevention Ordinance, and for related purposes.

Motion to Adopt Ordinance, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

- Ordinance 3005 -

Attachment(s):

[Ordinance 3005 - Signed](#)

- 5** Ordinance - amending Section 8-99(a) of the Code of Ordinances of the City of Gulfport, Mississippi, and for related purposes.

Motion to Suspend the Rules, 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, R.Lee Flowers, Cara Pucheu

Motion to Delete, Moved By R.Lee Flowers, **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

*** The following actions were taken after Routine Agenda ***

Motion to Approve, previously deleted item, Moved By Cara Pucheu, **Seconded by** Rusty Walker

Withdraw Motion, Moved By Cara Pucheu, **Seconded by** Rusty Walker

- 6 Ordinance - providing for the salary of compensation for certain employees of the City of Gulfport, Mississippi, and for related purposes.

Motion to Adopt Ordinance, 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

- Ordinance 3006 -

Attachment(s):

[Ordinance 3006 - Signed](#)

Resolutions

- 6 – A Resolution - commending the life, service and dedication of the former Gulfport City Councilmember Jimmie Tyrone Jenkins and expressing deepest sympathy to his family and friends on the occasion of his death.

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

Attachment(s):

[Resolution - Jimmie Jenkins - Signed](#)

- 7 Resolution - approving Amendment to Service Agreement from CivicPlus, LLC, authorizing the Mayor to execute said Agreement, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

Attachment(s):

[Resolution - CivicPlus Amendment - Signed](#)

- 8 Resolution - approving Business Services Agreement with RoomRoster in connection with the Gulfport Sportsplex, authorizing the Mayor to execute the same, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

Attachment(s):

[Resolution - Business Service Agreement - RoomRoster - Gulfport Sportsplex - Signed](#)

- 9 Resolution - authorizing the Gulfport Police Department to accept the High Intensity Drug Trafficking Area (HIDTA) Grant Award G-19-GC-0003A.

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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

Attachment(s):

[Resolution - HIDTA Grant G-19-GC-0003A - Signed](#)

- 10 Resolution - authorizing the Gulfport Police Department to apply for the Fiscal Year 2019 Homeland Security Grant.

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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

Attachment(s):

[Resolution - Authorizing GPD to Apply for FY19 MDPS Homeland Security Grant - Signed](#)

- 11 Resolution - authorizing an expenditure for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport at the 2019 Port City Bowl, 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, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

Attachment(s):

[Resolution - 2019 Port City Bowl Advertising - Signed](#)

- 12** Resolution - authorizing an expenditure (in the form of a fee waiver) for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport in connection with the NFA National Championship.

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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

Attachment(s):

[Resolution - Fee Waiver NFA National Championship - Signed](#)

- 13** Resolution - authorizing an expenditure (in the form of a fee waiver) for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport in connection with the 1st Harambee Festival.

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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

Attachment(s):

[Resolution - Fee Waiver 1st Harambee Festival - Signed](#)

- 14** Resolution - authorizing negotiations with Lose Design for Master Plan Consulting Services for Leisure Services Department, and for related purposes.

Motion to Approve, not to exceed \$90,000, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

Attachment(s):

[Recommendation - Master Plan Consulting Services - LSD](#)

- 15** Request - to change Accountant to Accounting Supervisor - Finance Department.

Motion to Approve Request to change Accountant to Accounting Supervisor - Finance Department, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

Attachment(s):

[Accounting Supervisor Job Description](#)

[Request Letter - Finance Department Reorganization](#)

Budget Amendments / Docket of Claims

- 16** Budget Amendment #73 - to increase line item 277-(Capital) from funds received as restitution on drug related arrest.

Motion to Approve Budget Amendment #73, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

Attachment(s):

[June 19th \(restitution\)](#)

[Budget Amendments-FYE 2019-73](#)

- 17** Docket of Claims - to be approved through July 3, 2019.

Motion to Approve Docket of Claims, in the amount of \$1,793,118.46, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

Attachment(s):

[Docket 7-3-19](#)

[Docket by Vendor](#)

[Docket by Org-Obj-Proj](#)

[Resolution - Docket of Claims - Signed](#)

Routine Agenda

Motion to Approve Routine Agenda, as presented, 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, R.Lee Flowers,
Cara Pucheu

Absent: Myles Sharp (out of room)

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

Attachment(s):

[Resolution - Awarding-Rejecting Bids - Signed](#)

- 19 Privilege License Report - for the month of May, 2019 - to be made a part of the minutes.

Attachment(s):

[Privilege License Report - May 2019](#)

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

Attachment(s):

[Conveyance Deed - Catherine Yarbrough](#)

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

Attachment(s):

[Conveyance Deed - Louise Harrison](#)

- 22 Legal Notice - advertisement for 30-day Public Notice and Public Hearing for Substantial Amendment #1 to FY 2016, 2017, 2018 and 2019 Annual Action Plans for "Entitlement" CDBG Programs.

Attachment(s):

[Legal Notice - Substantial Amendment #1 to FY 16 17 18 & 19 Annual Action Plan for "Entitlement" CDBG Programs](#)

- 23 Legal Notice - advertisement for the purchase of Streetlights in support of the Traffic Department.

Attachment(s):

[Legal Notice - Streetlights - Traffic Department](#)

- 24** Letter - regarding bid awarded by Purchasing to Siemens Industry, Inc. for Video Recording Server - Information Technology Department - to be made a part of the minutes.

Attachment(s):

[Siemens Industry, Inc - Video Recording Server - IT Department](#)

- 25** Ratification - Easements for Laurelwood Sewer Improvements Project - to be made a part of the minutes.

Attachment(s):

[Drainage and Utility Easement - Cartee Recorded](#)

[Temporary Construction Easement - Cartee Recorded](#)

[Drainage and Utility Easement - Gillispie Trust Recorded](#)

[Temporary Construction Easement - Gillispie Recorded](#)

- 26** Ratification - Facility Use Agreements - to be made a part of the minutes.

Attachment(s):

[Facility Use Agreement - CrossFire - October](#)

[Facility Use Agreement - CrossFire - September](#)

[Facility Use Agreement - South Mississippi Soccer Club](#)

Public Agenda

The President called for comments during the Public Agenda.

The following Citizen(s) addressed the Council:

- Ms. Tarsha Mallard - 118 Carson Drive
- Ms. Dorothy McClendon - 1319 19th Street
- Mr. George Reynolds - 3500 Northward Drive
- Ms. Mary O'Malley - 1521 42nd Avenue
- Ms. Donna Yancey - 2531 W David Drive
- Mr. Steve Nelson - 22 Timber Lane
- Ms. Rosetta Williams - 600 Todd Drive

This concluded the Public Agenda.

Council Comments

Memorial Adjournment

[Former Councilmember Jimmie Tyrone Jenkins](#)

[Mrs. Doris Taylor Chambers](#)

[Mrs. Cheryl Ann Evans](#)

[Mr. Darian Lee Benefield](#)

[Dr. Wesley L. McFarland](#)

Executive Session

Upon the advice of General Counsel, Motion to Enter Closed Session to make a preliminary determination of the necessity for Executive Session at 4:26 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, R.Lee Flowers, Cara Pucheu

The Council entered Closed Session at 4:30 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, and Cara Pucheu, CAO Dr. John Kelly, General Counsel Hugh Keating, Assistant City Attorney Margaret Murdock, Assistant City Attorney Dustin Uselton, and Clerk of Council Brittany Rodgers.

Motion to Exit Closed Session at 4:31 P.M., Moved By Ron Roland, **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

No official action was taken during Closed Session.

Upon hearing from General Counsel regarding the nature of the request for Executive Session, Motion to Enter Executive Session at 4:33 P.M. for strategy discussion related to litigation involving vacations and potential litigation involving a property damage claim, 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

The Council entered Executive Session at 4:33 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, and Cara Pucheu, CAO Dr. John Kelly, Assistant City Attorney Margaret Murdock (out at 4:42 P.M.), Assistant City Attorney Dustin Uselton, and Clerk of Council Brittany Rodgers.

Motion to Exit Executive Session at 4:55 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

No official action was taken during Executive Session.

Upon reconvening in an open meeting, the following actions were taken:

Motion to Authorize the City Attorney's Office to take whatever steps may be required to resolve the City's property damage claim against Gilma Napier arising out of an accident on May 27, 2019 that damaged seven holly trees located in the median on Highway 605, for a total sum of \$5,635.00 in property damage, and the Mayor be authorized to execute any and all releases as may be required to effectuate settlement of the claim, Moved By Cara Pucheu, 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 Authorize the Administration, by and through the City Attorney's Office, to take whatever steps may be required to agree to the vacation of a 20 foot unimproved alley in Block 6 of Dolans Addition from the west line of 25th Avenue to the east line of 24th Avenue, which is the subject of that certain lawsuit pending in the Chancery Court of Harrison County, Mississippi, First Judicial District, Cause No. 19-1034(3), Moved By Cara Pucheu, Seconded by Ron Roland

Vote: Motion Carried By Unanimous Roll Call Vote

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

Nay: Ella Holmes-Hines, R.Lee Flowers

Absent: Myles Sharp (out of room)

Motion to authorize the City Attorney's Office to negotiate a compromise and settlement of the litigation set forth in that certain complaint for vacation filed by Cresco Real Estate, LLC vs City of Gulfport, et al, Cause No. 18-1362(4) in the Chancery Court of Harrison County, First Judicial District, on terms and conditions as outlined and discussed during executive session, Moved By Cara Pucheu, Seconded by Ron Roland

Vote: Motion Carried By Unanimous Roll Call Vote

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

Nay: Ella Holmes-Hines, R.Lee Flowers

Absent: Myles Sharp (out of room)

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 Former Councilmember Jimmie T. Jenkins, Mrs. Doris Taylor Chambers, Mrs. Cheryl Ann Evans, Mr. Darian Lee Benefield, and Dr. Wesley L. McFarland, until July 16, 2019 at 1:30 P.M. for a Regular Council Meeting, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

City Clerk

Mayor

Agenda Adjustments

- 6 – A** Resolution - commending the life, service and dedication of the former Gulfport City Councilmember Jimmie Tyrone Jenkins and expressing deepest sympathy to his family and friends on the occasion of his death.