



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, August 6, 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 Called Meeting held on July 30, 2019 at 4:30 P.M.

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

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

Agenda Order

Motion to Accept the Agenda with the following adjustments; delete items 4 and 5, and amend item 31's title to read "Jones Park Amphitheater" instead of "Barksdale Pavilion", Moved By Myles Sharp, Seconded by Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Presentation Agenda

- Mayor's Report

Policy Issues

Minutes

- 1 Approval of Minutes - for June 4, 2019.

Motion to Approve Minutes for June 4, 2019, Moved By Ella Holmes-Hines, **Seconded** by Ron Roland

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[June 4, 2019 Minutes](#)

- 2 Approval of Minutes - for June 18, 2019.

Motion to Approve Minutes for June 18, 2019, Moved By Ella Holmes-Hines,

Seconded by Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[June 18, 2019 - Minutes](#)

- 3 Approval of Minutes - for June 27, 2019 SCM.

Motion to Approve Minutes for June 27, 2019 SCM, Moved By Ella Holmes-Hines,

Seconded by Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[June 27, 2019 SCM - Minutes](#)

- 4 Approval of Minutes - for July 2, 2019.

- Deleted -

- 5 Approval of Minutes - for July 16, 2019.

- Deleted -

Code Enforcement / Planning

- 6 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 Cara Pucheu, **Seconded by** Ron Roland

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

There being no one present to object or address the Council, Motion to Close the Hearing and Approve the Resolution, Moved By Ron Roland, **Seconded by** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

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

- 7 Certificate of Resubdivision - divide two parcels into two new parcels zoned R-1-5 (Single-family) - 13276 Bonnie Street - Case # 1906PC067 - Ward 6.

Motion to Approve Certificate of Resubdivision, Moved By Cara Pucheu, **Seconded by** Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Certificate of Resubdivision - Case 1906PC067 - Signed](#)

Ordinances

- 8 Ordinance - to rezone a tax parcel from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus") - E Cedar Drive - Case # 1906PC070 - Ward 2

Motion to Adopt Ordinance, Moved By Ron Roland, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

- Ordinance 3007 -

Attachment(s):

[Ordinance 3007 - Signed](#)

- 9 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 Cara Pucheu, **Seconded by** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

- Ordinance 3008 -

Attachment(s):

[Ordinance 3008 - Signed](#)

Resolutions

- 10** Resolution - approving Petition by D'Iberville Cold Storage, Inc., for a Freeport Warehouse License and a Municipal Ad Valorem Tax Exemption, not to include School District Taxes for a period of five (5) years on Personal Property shipped out of State during each Calendar Year pursuant to Miss. Code (1972) Ann., as amended, § 27-31-51, et seq., and for related purposes.

Motion to Approve, Moved By Cara Pucheu, **Seconded by** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Resolution - D'Iberville Cold Storage Inc - Freeport Warehouse License & Municipal Ad Valorem Tax Exemption - Signed](#)

- 11** Resolution - approving Agreement with Mississippi Delta Shows, LLC, for the 2019 Gulfport Harbor Lights Winter Festival, authorizing the Mayor to execute the same, and for related purposes.

Motion to Approve, Moved By Myles Sharp, **Seconded by** Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Resolution - Mississippi Delta Shows Agreement - Signed](#)

- 12** Resolution - approving Award and Contract between the City of Gulfport and Bond Services Inc. for Janitorial Services, authorizing the Mayor to execute the same, and for related purposes.

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

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Resolution - Bond Services - Janitorial Services Agreement - Signed](#)

- 13** Resolution - approving Award and Contract between the City of Gulfport and Gibson Maintenance, LLC, for the Building Repairs and Construction Unit Price Project, authorizing the Mayor to execute the same, and for related purposes.

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

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Resolution - Gibson Maintenance - Building Repairs and Construction Unit Price Project - Signed](#)

- 14** Resolution - approving Award and Contract between the City of Gulfport and DNA Underground, LLC, for the City of Gulfport Repair and Replacement Unit Price Project, authorizing the Mayor to execute the same, and for related purposes.

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

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Resolution - DNA Underground - Repair and Replacement Unit Price Project - Signed](#)

- 15** Resolution - approving award to accept GOMESA Funding, approving and authorizing execution of a Memorandum of Understanding between the City and the Mississippi Department of Marine Resources concerning the Funding, approving and authorizing execution of a Memorandum of Understanding with the Gulfport Redevelopment Commission regarding Fund Handling and Records Management, and for related purposes.

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

Vote: Motion Carried By Unanimous Roll Call Vote
Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu
Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Resolution - GOMESA - Signed](#)

- 16 Resolution - approving Engagement Letters with Mauldin & Jenkins, LLC, for audit work related to Utility Partners, LLC, for FYE 2018, and for related purposes.

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

Vote: Motion Carried By Unanimous Roll Call Vote
Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu
Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Resolution - Mauldin & Jenkins - FYE 2018 Utility Partners Reports - Signed](#)

- 17 Resolution - approving Engineering Services Letter Agreement with Machado Patano related to the Kayak Launch Project, and for related purposes.

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

Vote: Motion Carried By Unanimous Roll Call Vote
Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu
Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Resolution - Machado-Patano Agreement - Consulting Engineering Services - Tideland Grant - Kayak Launch Project - Signed](#)

- 18 Resolution - approving Substantial Amendment to the 2016-2019 CDBG Annual Action Plans and 2017-2021 Consolidated Plans, and for related purposes.

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

Vote: Motion Carried By Unanimous Roll Call Vote
Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu
Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[CDBG-Budget Amendment 8-6-19 \(1\)](#)

- 19 Resolution - accepting a United States Department of Labor Workforce Innovation & Opportunity Act Grant from and through the Southern Mississippi Planning & Development District, authorizing the Mayor to execute any and all documents required to accept said Grant, and for related purposes.

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

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[SMPDD Workforce Innovation & Opportunity Act Grant - EMT Course - Signed](#)

- 20 Resolution - terminating the State of Emergency due to Tropical Storm/Hurricane Barry, and for related purposes.

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

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Resolution - Terminating State of Emergency - TS Barry - Signed](#)

- 21 Request - to increase amount and number of cash drawers in Utility Billing Department and to establish change banks for the Downtown and Lyman locations.

Motion to Approve Request to increase amount and number of cash drawers in Utility Billing Department and to establish change banks for the Downtown and Lyman locations, Moved By Myles Sharp, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Memorandum to Increase Utility Billing Cash Drawers](#)

- 22 Request - to change job position of Community Service Technician to Assistant Building Maintenance Technician and approve job description - Police Department.

Motion to Approve Request to change job position of Community Service Technician to Assistant Building Maintenance Technician and approve job description - Police Department, Moved By Myles Sharp, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Memo - Building Maintenance Position](#)

[Assistant Building Maintenance Technician - Job Description](#)

Budget Amendments / Docket of Claims

- 23** Budget Amendment #78 - increasing the County/Local capital line item from restitution on drug cases.

Motion to Approve Budget Amendment #78, Moved By Ella Holmes-Hines, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[July 23rd\(restitution\)](#)

[Budget Amendments-FYE 2019-78](#)

- 24** Budget Amendment #79 - to set up Budget for Bernard & Brickyard Blueway Kayak Launch Project.

Motion to Approve Budget Amendment #79, Moved By Ella Holmes-Hines, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[BAPW - BUDGET SETUP BRICKYARD BLUEWAY KAYAK LAUNCH - 7-24-19](#)

[Budget Amendments-FYE 2019-79](#)

- 25** Budget Amendment #80 - to transfer funds for Capital purchases - Public Works.

Motion to Approve Budget Amendment #80, Moved By Ella Holmes-Hines, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[BAPW - TRANSFER FUNDS FOR CAPITAL PURCHASES AND LOW ACCOUNTS - 7-25-19](#)

[Budget Amendments-FYE 2019-80](#)

- 26** Budget Amendment #81 - CDBG Budget Amendment for Fiscal Years 2016-2019.

Motion to Approve Budget Amendment #81, Moved By Ella Holmes-Hines, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[CDBG-Budget Amendment 8-6-19](#)

[Budget Amendments-FYE 2019-81](#)

- 27** Budget Amendment #82 - to transfer funds from Other Services to Capital Outlay Account for the purchase of new server - Legal Department.

Motion to Approve Budget Amendment #82, Moved By Ella Holmes-Hines, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Memo for Council for Legal](#)

[Budget Amendments-FYE 2019-82](#)

- 28** Docket of Claims - to be approved through August 7, 2019.

Motion to Approve Docket of Claims, in the amount of \$3,230,117.31, Moved By Cara Pucheu, **Seconded by** Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Docket](#)

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

[Docket by Vendor](#)

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

Routine Agenda

Motion to Approve Routine Agenda, as presented, Moved By Myles Sharp, Seconded by Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

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

Attachment(s):

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

- 30** Privilege License Report - for the month of June, 2019 - to be made a part of the minutes.

Attachment(s):

[Privilege License Report - June 2019](#)

- 31** Letter - regarding bid awarded by Purchasing to Cooley's Full Service Painting LLC for painting of Jones Park Amphitheater - Leisure Services Department - to be made a part of the minutes.

Attachment(s):

[Cooley's Full Service Painting LLC - Jones Park Amphitheater](#)

- 32** Ratification - Facility Use Agreements (Sportsplex) - to be made a part of the minutes.

Attachment(s):

[Facility Use Agreement - Neumann](#)

[Facility Use Agreement - Get on the Pitch](#)

[Facility Use Agreement - Off the Chain Sports](#)

- 33** Ratification - of Oaths of Office - to be made a part of the minutes.

Attachment(s):

[Oath of Office - Timothy Hayes](#)

[Oath of Office - Jeremy Fortenberry](#)

[Oath of Office - Nahgee Yeroozedek](#)

[Oath of Office - Colby Eike](#)

[Oath of Office - Cherie Randall](#)

[Oath of Office - Travis Hart](#)

Public Agenda

The President called for comments during the Public Agenda.

The following Citizen(s) addressed the Council:

- David Starling - 2192 Collins Boulevard

This concluded the Public Agenda.

Council Comments

Memorial Adjournment

[Mr. Donald Dana](#)

[Mr. Victor Mason](#)

[Reverend Charles T. Dupree](#)

[Mr. Russell "Carlisle" Carothers](#)

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 1:46 P.M., Moved By Myles Sharp, Seconded by Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

The Council entered Closed Session at 1:50 P.M. In attendance: Councilmembers: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, and Cara Pucheu, Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, Assistant City Attorney Margaret Murdock, Director of Public Works Wayne Miller, Assistant Director of Public Works Ryan Merrill, and Clerk of Council Brittany Rodgers.

Motion to Exit Closed Session at 1:50 P.M., Moved By Ella Holmes-Hines, Seconded by Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

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 1:52 P.M. for strategy session with respect to litigation involving a vacation and an easement, and potential litigation related to water meters, Moved By Ella Holmes-Hines, Seconded by Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

The Council entered Executive Session at 1:52 P.M. In attendance:

Councilmembers: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, and Cara Pucheu, Mayor Billy Hewes, CAO Dr. John Kelly, City Attorney Jeff Bruni, Director of Leisure Services Gus Wesson, and Clerk of Council Brittany Rodgers.

Motion to Exit Executive Session at 2:25 P.M., Moved By Myles Sharp, Seconded by Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Kenneth Casey, R.Lee Flowers

No official action was taken during Executive Session.

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

Motion to authorize the Legal Department to approve the drainage easement vacation of the southeast corner of lot 10, Gulfport Highlands Subdivision, subject to the same 3 conditions imposed on the "Y" shaped easement vacation, and that there be general easements, Moved By Myles Sharp, Seconded by Cara Pucheu

Vote: Motion Carried By The Following Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, 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. Donald Dana, Mr. Victor Mason, Reverend Charles T. Dupree, and Mr. Russell "Carlisle" Carothers, until August 20, 2019 at 1:30 P.M. for a Regular Council Meeting, Moved by Ella Holmes-Hines, Seconded by Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

City Clerk

Mayor