



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, April 7, 2020

1:30 PM

*Gulfport City Hall
Council Chambers*

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

The Mayor and Members of Council met at City Hall at 1:30 P.M., on the above date, same being an adjourned meeting from a Regular Meeting on March 17, 2020 at 1:30 P.M.

Present: Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, Clerk of Council Brittany Rodgers, **Councilmembers:** Kenneth Casey, Ron Roland, Ella Holmes-Hines (teleconference/ in person at 1:38 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 amendments; delete item 6, amend item 3 to Ordinance - to permit the sale of alcoholic beverages by the gallon in any Leisure and Recreation District within the corporate boundaries of the City of Gulfport, Mississippi, and for related purposes, Moved By Myles Sharp, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines (teleconference), Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Presentation Agenda

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 Myles Sharp, **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 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

Attachment(s):

[Notification Letters - Code Enforcement Hearing](#)
[Resolution - authorizing advertisement for bids - Signed](#)

- 2** Certificate of Resubdivision - divide into two parcels zoned R-1-7.5 (Single-family) - located on 2nd Street - Case # 2002PC016 - Ward 2.

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

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Nay: Ella Holmes-Hines

Attachment(s):

[Certificate of Resubdivision - Case # 2002PC016 - Signed](#)

Ordinances

- 3** Ordinance - ~~to establish a Leisure and Recreation District (Gulfport Social District) within the corporate boundaries of the City of Gulfport, Mississippi, and designate the geographic areas included within and boundaries of said District, and for related purposes.~~ to permit the sale of alcoholic beverages by the gallon in any Leisure and Recreation District within the corporate boundaries of the City of Gulfport, Mississippi, and for related purposes.

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

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Nay: Ella Holmes-Hines

Attachment(s):

[Ordinance 3028 - Signed](#)

Resolutions

- 4** Order - to File Form of Ordinance concerning Electric Franchise with City Clerk.

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

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Nay: Ella Holmes-Hines

Attachment(s):

[Order - filing of electric franchise - Signed](#)

- 5** Resolution - reconfirming and extending the status of a State of Emergency due to the spread of COVID-19 and potentials associated impacts which threaten to affect areas within the City, and for related purposes.

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

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Nay: Ella Holmes-Hines

Attachment(s):

[Resolution - COVID - Extension #2 - Signed](#)

- 6 Resolution - approving award for Wellness Clinic Services to Medical Analysis, authorizing the Mayor to execute an Agreement with Medical Analysis, and for related purposes.

- Deleted -

- 7 Resolution - approving Change Order No. 1 to contract with Samuel B. Day Construction, Inc., for the Katie Patterson Booth Community Center Roof Replacement Project, and for related purposes

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

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Nay: Ella Holmes-Hines

Attachment(s):

[Resolution - Change Order No. 1 Samuel B. Day - Katie Booth CC - Signed](#)

- 8 Resolution - approving Third Amendment to License Agreement between Utility Service Communications Co., Inc. (Licensor), and Powertel/Memphis, Inc. (Licensee), allowing for relocation of equipment from one tank to another (49 51st Street to 57 51st Street) and addition of certain and various pieces of equipment on Gulfport's Water Tank located on 51st Street, and for related purposes.

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

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Nay: Ella Holmes-Hines

Attachment(s):

[Resolution - T-Mobile 51st Street Third Amendment - Signed](#)

- 9 Resolution - approving Certificate of Partial Substantial Completion of Downtown Streetscape Improvements Project Phase 3, 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 The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Nay: Ella Holmes-Hines

Attachment(s):

[Resolution - Partial Substantial Completion - Downtown Streetscape Phase 3 - Signed](#)

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

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

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Nay: Ella Holmes-Hines

Attachment(s):

[Resolution - LSD Promo Items Expenditure - Signed](#)

- 11** Resolution - authorizing the City, by and through the Police Department, to apply for US Department of Justice funding related to 2020 Coronavirus, and for related purposes.

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

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Nay: Ella Holmes-Hines

Attachment(s):

[Resolution - Police Dept U.S. Dept. Justice Coronavirus Grant App - Signed](#)

Budget Amendments / Docket of Claims

- 12** Docket of Claims - to be approved through April 8, 2020.

Motion to Approve Docket of Claims, in the amount of \$2,934,21,.55 Moved By Myles Sharp, **Seconded by** Cara Pucheu

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Nay: Ella Holmes-Hines

Attachment(s):

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

[Docket](#)

[Docket by Vendor](#)

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

Routine Agenda

Motion to Approve Routine Agenda, as presented, Moved By Myles Sharp, **Seconded by** Cara Pucheu

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Nay: Ella Holmes-Hines

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

Attachment(s):

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

- 14 Letter - regarding emergency purchase authorization for Flat Branch Sewer Force Main Repair - Public Works - to be made a part of the minutes.

Attachment(s):

[United Rentals - Flat Branch Sewer Force Main Repair](#)

- 15 Letter - regarding bid awarded by Purchasing to Powers Inc. for HVAC Unit A/C Systems - Municipal Complex - to be made a part of the minutes.

Attachment(s):

[Memo - HVAC UNIT AC SYSTEMS MUNICIPAL COMPLEX 2020](#)
[HVAC UNIT AC SYSTEMS MUNICIPAL COURT](#)

- 16 Ratification - of Mayor's Executive Order No. 1 (March 20, 2020), Mayor's Executive Order No. 2 (March 31, 2020) and Mayor's Executive Order No. 3 (April 3, 2020) - to be made a part of the minutes.

Attachment(s):

[Executive Order No. 1 - March 20](#)
[Executive Order No. 2 - March 31 \(Safer at Home\)](#)
[Executive Order No. 3 - April 3](#)

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

Attachment(s):

[Memorandum Oaths of Office](#)
[Oaths of Office](#)

- 18** Ratification - of Preliminary Engineering Services Contract with Neel-Schaffer Inc. and Notice to Proceed Letter from the Mayor related to BUILD - Interconnecting Gulfport Project - to be made a part of the minutes.

Attachment(s):

[Preliminary Engineering Services Contract - Neel-Schaffer Inc - BUILD - Interconnecting Gulfport Project - Signed Letter to Neel-Schaffer Inc from Mayor Authorizing Work to Commence](#)

Council Comments

Memorial Adjournment

[Mr. Edward Brown](#)

[Mrs. Karla Lewis](#)

[Mrs. Daisy L. Dedeaux](#)

Master Michael Seal

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 1:49 P.M., 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

The Council entered Closed Session at 1:49 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu, Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, City Attorney Jeff Bruni, and Clerk of Council Brittany Rodgers.

Motion to Exit Closed Session at 1:50 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, 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 1:51 P.M. for (1) strategy discussion involving prospective litigation associated with the Dedeaux Road Widening Improvements Project, (2) strategy discussion involving prospective litigation associated with the ongoing Streetscape Project, and (3) transaction of business/discussion regarding the prospective leasing of lands and other interests associated with Uniti Fiber in the Harbor/Parks area, 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

The Council entered Executive Session at 1:51 P.M. In attendance:

Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu, Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, City Attorney Jeff Bruni, and Clerk of Council Brittany Rodgers.

Motion to Exit Executive Session at 2:07 P.M., 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

No official action was taken during Executive Session.

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

Motion to Approve Amendment 5 for Engineering related to the Downtown Streetscape Phase III & IIIB, Moved By R.Lee Flowers, Seconded by Ron Roland

Vote: Motion Failed By Unanimous Roll Call Vote

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

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. Edward Brown, Mrs. Karla Lewis, Mrs. Daisey L. Dedeaux, and Master Michael Seal, until April 21, 2020 at 1:30 P.M. for a Regular Council Meeting, 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

City Clerk

Mayor