



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, August 4, 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 Special Call Meeting on July 29, 2020 at 11:30 A.M.

Present: Mayor Billy Hewes, General Counsel Hugh Keating, Clerk of Council Brittany Rodgers, **Councilmembers:** Kenneth Casey, Ron Roland, Ella Holmes-Hines (teleconference), 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: add item 26 - A - Authorization - of Line of Credit from the Gulfport Redevelopment Commission to the Mississippi Aquarium for Operations, 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

Presentation Agenda

- **Mayor's Report**

Policy Issues

Minutes / Appointments

- 1 Approval of Minutes - for July 7, 2020.

Motion to Approve Minutes for July 7, 2020, 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

Attachment(s):

[July 7, 2020 Minutes](#)

- 2 Ratification - of appointment to the Election Commission.

Motion to Ratify appointment to the Election Commission, 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

Attachment(s):

[Appointment E.G. Warren - Election Commission](#)

- 3 Ratification - of appointment of Director of Police Department (Police Chief).

Motion to Ratify appointment of Director of Police Department (Police Chief), 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

Attachment(s):

[Appointment Chris Ryle - Chief of Police](#)

Code Enforcement / Planning

- 4 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.

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

Attachment(s):

[Notification Letters - Code Enforcement Hearing
Resolution - authorizing Advertisement for Bids - Signed](#)

- 5 Certificate of Resubdivision (Short Form) - divide into three parcels zoned I-2 (Heavy Industrial) - located on Seaway Road - Case # 2009PC099 - 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

Attachment(s):

[Certificate of Resubdivision - Case 2009PC099 - Signed](#)

Ordinances

- 6 Ordinance - amending Appendix D - Smartcode, Article 5. - Building-Scale Plans, 5.3 - Specific to Sub-Urban Transect Zone (T3), 5.3.2 Building Configuration (T3) - Case # 2004PC043.

Motion to Adopt Ordinance, Moved By Myles Sharp, Seconded by Kenneth Casey

Vote: Motion Carried By The Following Roll Call Vote

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

Attachment(s):

[Ordinance 3036 - Signed](#)

- 7 Ordinance - establishing salaries of compensation for employees of the City of Gulfport, Mississippi, and for related purposes.

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

Attachment(s):

[Ordinance 3040 - Signed](#)

Resolutions

- 8 Resolution - approving Agreement between the Gulfport School District and the City of Gulfport, Mississippi, concerning reimbursement for Law Enforcement Services, authorizing the Mayor to execute said Agreement, and for related purposes.

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

Attachment(s):

[Resolution - GSD SRO - Signed](#)

- 9 Resolution - approving Agreement between the Harrison County School District and the City of Gulfport, Mississippi, concerning reimbursement for Law Enforcement Services, authorizing the Mayor to execute said Agreement, and for related purposes.

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

Attachment(s):

[Resolution - HCSD SRO - Signed](#)

- 10 Resolution - approving Agreement for Sheltering Services between the City of Gulfport, Mississippi, and the Humane Society of South Mississippi, authorizing the Mayor to execute the Agreement, and for related purposes.

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

Attachment(s):

[Resolution - HSSM Sheltering Agreement - Signed](#)

- 11** Resolution - approving Lease Agreement with Jay Jay Holdings, LLC, authorizing the Mayor to execute the same, and for related purposes.

Motion to Table, 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 Amendment No. 3 to Contract with Water Company of America for Utility Bill Auditing Services, authorizing the Mayor to execute the same, and for related purposes.

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

Attachment(s):

[Amendment No. 3 - ISI Water Company - Signed](#)

- 13** Resolution - approving Quantity Adjustment #1 to Contract with JLB Contractors, LLC, for the Seaway Road Pedestrian Pathway Project, authorizing the Mayor to execute the same, and for related purposes.

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

Attachment(s):

[Resolution - Quantity Adjustment 1 - JLB Contractors - Seaway Road Pedestrian Pathway - Signed](#)

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

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

Attachment(s):

[Resolution - COVID-19 Extension 7 - Signed](#)

- 15** Resolution - reconfirming and extending the status of a State of Emergency due to the impacts of Tropical Storm Cristobal on the City of Gulfport, and for related purposes.

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

Attachment(s):

[Resolution - Cristobal Extension 3 - Signed](#)

- 16** Resolution - requesting sale of sidearm to Commander Klain Garriga 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 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

Attachment(s):

[Resolution - Klain Garriga Sidearm - Signed](#)

- 17** Request - to add Job Descriptions for Seasonal Harbor Lights Winter Festival positions.

Motion to Approve Request to add Job Descriptions for Seasonal Harbor Lights Winter Festival positions, 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

Attachment(s):

[Request to add job descriptions for Harbor Lights](#)

Budget Amendments / Docket of Claims

- 18** Budget Amendment #81 - internally transferring to fund Waste Water Treatment & Water Service provided by the Harrison County Utility Authority.

Motion to Approve Budget Amendment #81, 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

Attachment(s):

[BAPW - TRANSFER TO FUND WASTEWATER TREATMENT AND WATER SERVICE SHORTFALL - 7-23-2020](#)
[Budget Amendments - FYE 2020 - 81](#)

- 19** Budget Amendment #82 - increasing of Federal Funds for Seaway Road Pedestrian Pathway Project.

Motion to Approve Budget Amendment #82, 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

Attachment(s):

[BAPW - INCREASE FEDERAL FUNDS FOR SEAWAY RD PEDESTRIAN PATHWAY - 7-17-2020](#)
[Budget Amendments - FYE 2020 - 82](#)

- 20** Budget Amendment #83 - transferring to reimburse Traffic Department for expenses related to Striping of Leisure Services locations.

Motion to Approve Budget Amendment #83, 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

Attachment(s):

[BAPW - TRANSFER FOR LS REIMBURSEMENT FOR TRAFFIC STRIPING - 7-27-2020](#)
[Budget Amendments - FYE 2020 - 83](#)

- 21** Budget Amendment #84 - City Wide budget cuts to FY2020 Budget.

Motion to Approve Budget Amendment #84, 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

Attachment(s):

[Memo for Budget Cuts](#)
[Budget Amendments - FYE 2020 - 84](#)

- 22** Budget Amendment #85 - increasing line item 277 Capital from restitution.

Motion to Approve Budget Amendment #85, 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

Attachment(s):

[July 13th \(signed\)](#)
[Budget Amendments - FYE 2020 - 85](#)

- 23** Docket of Claims - to be approved through August 5, 2020.

Motion to Approve Docket of Claims, in the amount of \$2,738,286.51, 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

Attachment(s):

[Docket](#)
[Docket by Vendor](#)
[Docket by Org-Obj-Proj](#)
[Resolution - Docket of Claims - Signed](#)

Routine Agenda

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

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

Attachment(s):

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

- 25 Legal Notice - Advertise for RFP for Engineering Services - Debuys Road Sewer Pump Station Improvements Project.

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

Attachment(s):

[Request Authority to Advertise for Engineering Services - Debuys Road Sewer Pump Station Improvements Project](#)

- 26 Ratification - of Recorded Interlocal Agreement - Motor Vehicle for Hire Authority - to be made a part of the minutes.

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

Attachment(s):

[MVHA - 2020 Agreement as recorded](#)

- 26 – A Authorization - of Line of Credit from the Gulfport Redevelopment Commission to the Mississippi Aquarium for Operations.

Motion to Authorize Line of Credit from the Gulfport Redevelopment Commission to the Mississippi Aquarium for Operations, 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

Public Agenda

The President called for comments during the Public Agenda.

The following Citizen(s) addressed the Council:

- Lola Johnson - 5001 W Railroad Avenue

This concluded the Public Agenda.

Council Comments

Memorial Adjournment

[Mayor Thomas "Tommy" E. Schafer IV](#)

[Mr. Daniel "Danny" Joseph Garner](#)

[Mr. Charles Everett](#)

[Mr. Curley J Dedeaux](#)

[Ms. Lucinda Marie Edwards](#)

[Mrs. Janet Lynn Jefferson](#)

Ms. Juanita Stanford Redo

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 1:55 P.M., 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

The Council entered Closed Session at 1:56 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines (teleconference), Rusty Walker, Myles Sharp, R.Lee Flowers, and Cara Pucheu, Mayor Billy Hewes, General Counsel Hugh Keating and Clerk of Council Brittany Rodgers.

Motion to Exit Closed Session at 1:59 P.M., 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

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 1:59 P.M. for (1) transaction of business and discussion regarding the prospective leasing of lands, related to item 11, and (2) strategy discussion related to property litigation involving Watersound Subdivision ("Nine Water"), 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 1:59 P.M. In attendance:

Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines (teleconference), Rusty Walker, Myles Sharp, R.Lee Flowers, and Cara Pucheu, Mayor Billy Hewes, General Counsel Hugh Keating and Clerk of Council Brittany Rodgers.

Motion to Exit Executive Session at 2:09 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 Executive Session.

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

Motion to authorize the Administration to take any and all actions necessary, through the Legal Department, to allow Watersound Subdivision to make changes or amend their name on the Subdivision Plat of the City of Gulfport, and to execute and agree to order to that effect, 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

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 Mayor Thomas "Tommy" E. Schafer IV - City of Diamondhead, Mr. Daniel "Danny" Joseph Garner, Mr. Charles Everett, Mr. Curley J. Dedeaux, Ms. Lucinda Marie Edwards, and Mrs. Janet Lynn Jefferson, until August 18, 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

Agenda Adjustments

- 26 – A** Authorization - of Line of Credit from the Gulfport Redevelopment Commission to the Mississippi Aquarium for Operations.