# City of Gulfport, Mississippi

# Minutes

# City Council

2309 15th Street
Gulfport, MS 39501

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**Tuesday, April 7, 2015** | **1:30 PM** | ***Gulfport City Hall Council Chambers***

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## 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 special council meeting held on March 24, 2015 at 2:00 P.M. Present: Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, Council Members: Kenneth Casey, Ricky Dombrowski (out at 2:50 P.M), Ella Holmes-Hines (out at 3:18 P.M), Rusty Walker, Myles Sharp, R.Lee Flowers and Cara Pucheu.

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

## Confirmation or adjustment of the agenda order

## Agenda Order

A motion was made by Councilmember Sharp, duly seconded by Councilmember Kenneth Casey to accept the agenda with the following changes: Deletion of Item #9 & Item # 10. Move Item # 5 to Item # 1A. The motion carried the following vote:

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

The President called for the Mayor's Report.

## Presentation Agenda

- **Mayor's Report**

Mayor Billy Hewes called upon Police Chief Leonard Papania to present Service Awards to the following members of the Police Department :

- Don Myers – 20 years
- Duane Merrill – 20 years
- Pam Winston – 25 years
- Leslee Curry – 20 years

The Mayor reported that the groundbreaking for the Lorraine Road/Biloxi River Bride Project was held this morning.

The Mayor announced upcoming city events:

- Gulfcoast Yacht & Boat Show held April 9-12.
- Gulfport Youth Sports Organization will host the movie The Sandlot: This Saturday, (April 11th)

at 7:00 p.m. join us on the ball field.

- The Farmer's Market will start their season Wednesday, April 8th
  Hours of operation will be:
  WEDNESDAY'S from 9:00 a.m. until 1:00 p.m. and
  SATURDAY'S from 2:00 p.m. until 5:00 p.m.

This concluded the Mayor's Report.

## Policy Issues

### Minutes

1 Approval of minutes - for March 17 & 24, 2015.

**Motion to Approve, Made by** Ella Holmes-Hines, duly **seconded by** Kenneth Casey
**Motion:** Carried by Unanimous Vote
**Aye:** Kenneth Casey, Ella Holmes-Hines, Ricky Dombrowski, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Nay:** None

1A Resolution - approving a Memorandum of Agreement related to the Creosote Road Extension Project and authorizing the Mayor to execute the same.

**Motion to Approve, Moved by** Ricky Dombrowski, duly **seconded by** Cara Pucheu
**Motion:** Motion carried
**Aye:** Kenneth Casey, Ricky Dombrowski, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Nay:** Ella Holmes-Hines

### Code Enforcement

2 Code Enforcement Hearing - on resolution of 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 hearing, Moved by** R.Lee Flowers, duly **seconded by** Cara Pucheu.
**Motion:** Carried by Unanimous Vote
**Aye:** Ella Holmes-Hines, Ricky Dombrowski, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Absent:** Kenneth Casey

**Motion to Approve and close the hearing made by** Ella Holmes-Hines, duly **seconded by** R.Lee Flowers
**Motion:** Carried by Unanimous Vote
**Aye:** Ella Holmes-Hines, Ricky Dombrowski, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Absent:** Kenneth Casey

### Resolutions

3 Resolution - giving notice of intention of the City Council of the City of Gulfport, Mississippi, to issue Hospital Revenue Refunding Bonds of said City in a principal amount not to exceed Seventeen Million Two Hundred and Fifty Thousand Dollars ($17,250,000), to provide funds to be used to refund the City's outstanding Hospital Revenue Refunding and Improvement Bonds, Series 1994A in order to reduce interest expense for Memorial Hospital at Gulfport.

**Motion to Approve, Made by** Ella Holmes-Hines duly **seconded by** R. Lee Flowers

**Motion:** Carried by Unanimous Vote
**Aye:** Ella Holmes-Hines, Ricky Dombrowski, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Absent:** Kenneth Casey

4 Resolution – Supporting the Gulfside Casino Partnership d/b/a Island View Casino Resort and acknowledging that sales tax collected from the Island View Casino Resort Project will be diverted to the Tourism Project Sales Tax Incentive Fund for a period of up to fifteen years pursuant to the Mississippi Tourism Project Sales Tax Incentive Program, and for related purposes.

**Note: Councilmember Dombrowski recused himself and removed himself from the Chambers during the discussion and vote on this Resolution.**

**Motion to Approve, Made by** R.Lee Flowers, duly **seconded by** Myles Sharp
**Motion:** Carried by Unanimous Vote
**Aye:** Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Absent:** Kenneth Casey
**Recuse:** Ricky Dombrowski

5 Resolution - approving a Memorandum of Agreement related to the Creosote Road Extension Project and authorizing the Mayor to execute the same.

**Moved to Item 1A**

6 Resolution - approving Engineering Services Agreement with Neel Schaffer, Inc., for Pass Road Traffic Signal Improvements Project and authorizing the Mayor to execute the same.

**Motion to Approve, Made by** Myles Sharp, duly **Seconded by** Ricky Dombrowski
**Motion:** Carried by Unanimous Vote
**Aye:** Kenneth Casey, Ella Holmes-Hines, Ricky Dombrowski, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Nay:** None

7 Resolution - approving Agreement with WAR Management Services, LLC, for Project Management Services related to the Elevated Fuel and Service Support Facility to be constructed at/near Jones Park and authorizing the Mayor to execute the same.

**Motion to Approve, Made by** R. Lee Flowers, duly **Seconded** by Ella Holmes-Hines
**Motion:** Carried by Unanimous Vote
**Aye:** Kenneth Casey, Ella Holmes-Hines, Ricky Dombrowski, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Nay**: None

8 Resolution - approving Agreement with Eley Guild Hardy Architects, PA, for Design Services related to the Elevated Fuel and Service Support Facility to be constructed at/near Jones Park and authorizing the Mayor to execute the same.

**Motion to Approve, Made by** Ricky Dombrowski, duly **seconded by** Kenneth Casey
**Motion:** Carried by Unanimous Vote
**Aye:** Kenneth Casey, Ella Holmes-Hines, Ricky Dombrowski, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Nay:** None

9 Resolution - approving Agreement with Ship Island Excursions relating to repairs for the piers and authorizing the Mayor to execute the same.

**DELETED**

10 Resolution - approving Lease Agreement for the former Bagel Shop in downtown Gulfport.

**DELETED**

11 Resolution - approving proposal with King's Sprinkler Systems, Inc. for the purpose of providing Grounds Maintenance and Landscape Management Services for the City of Gulfport and authorizing the Mayor to execute the same.

**Motion to Approve, Made by** R.Lee Flowers, duly **seconded by** Kenneth Casey
**Motion:** Carried by Unanimous Vote
**Aye:** Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Absent:** Ricky Dombrowski

12 Resolution - approving Service Agreement with Vigilant Solutions for the purpose of providing Gulfport Police Department with software for law enforcement related purposes and authorizing the Mayor to execute the same.

**Motion to Approve, Made by** R.Lee Flowers, duly **seconded by** Ella Holmes-Hines
**Motion:** Carried by Unanimous Vote
**Aye:** Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Absent:** Ricky Dombrowski

13 Resolution - declaring certain and various items be declared as surplus property and authorizing disposal at public auction.

**Motion to Approve, Made by** Kenneth Casey, duly **seconded by** R.Lee Flowers
**Motion:** Carried by Unanimous Vote
**Aye:** Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Absent:** Ricky Dombrowski

14 Resolution - declaring certain and various items be declared as surplus property and authorizing disposal at public sale.

**Motion to Approve, Made by** Kenneth Casey, duly **seconded by** R.Lee Flowers
**Motion:** Carried by Unanimous Vote
**Aye:** Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Absent:** Ricky Dombrowski

15 Resolution - approving application by the City of Gulfport's Prosecutor's Office for (VAWA) Stop Violence Against Women Grant from the MS Department of Public Safety, and authorizing execution of documents associated therewith.

**Motion to Approve, Made by** Ella Holmes-Hines, duly **seconded by** Kenneth Casey
**Motion:** Carried by Unanimous Vote
**Aye:** Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Absent:** Ricky Dombrowski

16 Resolution - approving application for ACE grant from the Mississippi Development Authority for Simple Strokes TeleTherapy and authorizing execution of documents associated therewith.

**Motion to Approve, Made by** R.Lee Flowers, duly **seconded by** Kenneth Casey
**Motion:** Carried by Unanimous Vote
**Aye:** Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Absent:** Ricky Dombrowski

## Budget Amendments / Docket of Claims

17 Budget Amendment #41 - to transfer funds for repairs and upgrade at Fire Station #8.

**Motion to Approve, Made by** Kenneth Casey, duly **Seconded by** Ella Holmes-Hines.
**Motion:** Carried by Unanimous Vote
**Aye:** Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Absent:** Ricky Dombrowski

18 Budget Amendment #42 - to transfer funds between existing CDBG line items for housing and public facilities.

**Motion to Approve, Made by** Kenneth Casey, duly **Seconded by** Myles Sharp.
**Motion:** Carried by Unanimous Vote
**Aye:** Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Absent:** Ricky Dombrowski

19 Docket of Claims- to be approved through April 8, 2015

**Motion to Approve the Docket of Claims in the amount of $2,543,134.02 made by** R.Lee Flowers, duly **seconded by** Kenneth Casey.
**Vote:** Motion Carried
**Aye:** Kenneth Casey, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Nay:** Ella Holmes-Hines
**Absent:** Ricky Dombrowski

## Routine Agenda

**Motion to approve Routine Agenda Items #20-28, Moved by** Myles Sharp, duly **Seconded by** Kenneth Casey
**Motion:** Carried by Unanimous Vote
**Aye:** Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Absent:** Ricky Dombrowski

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

**Approved on the Routine Agenda**

21 Letter of Recommendation - regarding a 6-month extension with Bancorp South for bank depository services for the city of Gulfport.

**Approved on the Routine Agenda**

22 Letter of Recommendation - on Resurfacing Splash Pad and Playground areas in Jones Park.

**Approved on the Routine Agenda**

23 Letter - regarding quotes received in Purchasing for Submerged Pump (lift station) - Public Works Department - to be made part of the minutes.

**Approved on the Routine Agenda**

24 Letter - regarding quotes received by Purchasing for Firefighters Flip Book Activities Books - Fire Department - to be made a part of the minutes.

**Approved on the Routine Agenda**

25 Letter - regarding bid awarded by Purchasing for the water & sewer connection at 12123 Barton Rd - Community Development - to be made a part of the minutes.

**Approved on the Routine Agenda**

26 Letter - regarding bid awarded by Purchasing for an Allied Harper - Leisure Services Department - to be made a part of the minutes.

**Approved on the Routine Agenda**

27 Letter - regarding bid awarded by Purchasing for Poole Street Drainage (Track Removal) - Public Works Department - to be made part of the minutes.

**Approved on the Routine Agenda**

28 Letter - regarding bid awarded by Purchasing for NetMotion Mobility - for Information Systems/ Public Works Department - to be made a part of the minutes.

**Approved on the Routine Agenda**

29 Letter - regarding waiver of rental fees for stage rental.

**Motion to Delete, Moved by** Councilmember Sharp, duly **seconded** by Councilmember Casey
**Motion**: Carried by Unanimous Vote
**Aye:** Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu
**Absent:** Ricky Dombrowski

## Public Agenda

## Council Comments

## Memorial Adjournment

- **Ms. Penny Carvin**

- **Mr. Whitney J. "Stinkey" Carvin, Jr.**
- **Mr. Kingsley Lincoln "K.L." Young**
- **Mrs. Rita Occhi**
- **Mrs. Martha Moffett**

## Executive Session

**Upon advice of General Counsel, a motion was made by Councilmember Flowers, duly seconded by Councilmember Casey to close the meeting to determine the need for executive session.**

**Vote: Motion Carried By Unanimous Roll Call Vote**
**Aye: Casey, Walker, Sharp, Flowers and Pucheu**
**Absent: Ella Holmes- Hines and Ricky Dombrowski**

**The Council entered closed session at 3:19 P.M. In attendance: Members of the Council: Casey, Walker, Sharp, Flowers and Pucheu, Mayor Billy Hewes, CAO John Kelly, General Counsel Hugh Keating, David Parker, Laurie Toups, Margaret Murdock, Clerk of Council Ronda Cole and Deputy Clerk of Council Ashley Miller. The Council discussed the need to enter executive session to discuss a lease default and potential litigation.**
**Absent: Ella Holmes-Hines and Ricky Dombrowski**

**A motion was made by Councilmember Flowers, duly seconded by Councilmember Casey to come out of closed session and enter executive session at 3:23 P.M.**

**Vote: Motion Carried By Unanimous Roll Call Vote**
**Aye: Casey, Walker, Sharp, Flowers and Pucheu**
**Absent: Ella Holmes- Hines and Ricky Dombrowski**

**A motion was made by Councilmember Sharp, duly seconded by Councilmember Flowers to exit Executive session at 3:30 P.M.**

**Vote: Motion Carried By Unanimous Roll Call Vote**
**Aye: Casey, Walker, Sharp, Flowers and Pucheu**
**Absent: Ella Holmes- Hines and Ricky Dombrowski**

No official action was taken during Executive Session.

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Upon reconvening in open meeting the following action was taken:

A motion was made by Myles Sharp, duly seconded by R.Lee Flowers to authorize the City Attorney's office to negotiate a termination of the Cruise Seafood & Specialty Meats, LLC, lease of municipal property located at 1501 $25^{th}$ Avenue in accord with the following:

- Termination effective 4/30/15 (waive 30 day notice requirement)
- Termination be executed by Cruise, individually and on behalf of Cruise Seafood & Specialty Meats, LLC, in which he agrees that he owes the city $ 7,150 in back rent, agrees to pay the same and provides a personal guarantee for the funds owed, and to authorize the Mayor to execute the termination agreement on behalf of the City.

**Vote:** Motion Carried By Unanimous Roll Call Vote
**Aye:** Casey, Walker, Sharp, Flowers and Pucheu
**Absent:** Ella Holmes- Hines and Ricky Dombrowski

A motion was made by Myles Sharp, duly seconded by Kenneth Casey to authorize the Mayor to execute a lease listing agreement with Coldwell Banker Alfonso Realty (Kenneth Jones) at 5% to list the surplus municipal property located at 1501 25th Avenue and, once Jones has recommended a rental amount, to authorize the City to negotiate a lease with Pop Brothers, LLC, for the lease of the property effective May 1 or as soon thereafter as is practical, with final approval of the lease subject to vote of the City Council.

**Vote:** Motion Carried By Unanimous Roll Call Vote
**Aye:** Casey, Walker, Sharp, Flowers and Pucheu
**Absent:** Ella Holmes- Hines and Ricky Dombrowski

## Setting of Next Meeting and Adjournment

There being no further business to come before the Council, a motion was made by Councilmember Flowers, duly seconded by Councilmember Pucheu to adjourn in memory of Ms. Penny Carvin, Mr. Whitney "Stinkey" Carvin Jr., Mr. Kingsley Lincoln "K.L" Young, Mrs. Rita Occhi, and Mrs. Martha Moffett until April 21st , 2015 at 1:30 P.M. for a regular council meeting.

**Vote:** Motion Carried By The Following Roll Call Vote
**Aye:** Casey, Walker, Sharp, Flowers and Pucheu
**Absent:** Ella Holmes-Hines and Ricky Dombrowski

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Ronda S. Cole
City Clerk Deputy

Mayor