



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, April 21, 2015

1:30 PM

*Gulfport City Hall
Council Chambers*

Invocation, Pledge of Allegiance, Call to Order

Roll Call



1:30 p.m.

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 April 7, 2015 at 1:30 P.M. Present: Mayor Billy Hewes, General Counsel Hugh Keating, Council Members: Kenneth Casey, Ricky Dombrowski (out at 3:15 P.M), Ella Holmes-Hines (out at 3:28 P.M), Rusty Walker, Myles Sharp (out at 3:11 P.M), R.Lee Flowers and Cara Pucheu.

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



Agenda Order

Confirmation or adjustment of the agenda order

A motion was made by Councilmember Sharp, duly seconded by Councilmember Cara Pucheu to accept the agenda with the following changes: Deletion of Item #11. 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**

The Mayor called upon David D'Aquila for a presentation of the Clean and Resilient Marina.

This concluded the Mayors Report.

Policy Issues

Minutes



1

Approval of minutes - for April 7, 2015.

Motion to Approve, Moved By Cara Pucheu, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Code Enforcement / Planning



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 Hearing, Moved By Myles Sharp, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Motion to Close Hearing and Approve, Moved By Ella Holmes-Hines, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Resolutions / Requests



3

Resolution - authorizing acceptance of real property located at 1400 21st Avenue by the Harrison County Board of Supervisors.

Motion to Approve, Moved By Ricky Dombrowski, **Seconded By** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

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



4

Resolution - by the Gulfport City Council requesting assistance from Harrison County Board of Supervisors to repair sidewalks along U.S. Highway 90.

Motion to Approve, Moved By Ricky Dombrowski, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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



5

Resolution - approving Lease Agreement with POP Brothers, LLC for the rental of surplus municipal property located at 1501 25th Avenue.

Motion to Approve, Moved By Ricky Dombrowski, **Seconded By** R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

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



6

Resolution - approving Engineering Services Agreement with CDM Smith, Inc., to perform a Capacity, Management, Operations, and Maintenance (CMOM) Baseline Assessment and authorize the Mayor to execute the same.



Motion to Approve, Moved By Ella Holmes-Hines, **Seconded By** Kenneth Casey

Motion to Amend no combination of any fees or expenses are to exceed \$30,000

Moved By Myles Sharp, **Seconded By** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

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

The President called a vote on the motion as amended.

Vote: Motion passed

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Cara Pucheu, Myles Sharp, Rusty Walker

Nay: R.Lee Flowers

The Council Suspended the Rules at this time.

Motion to Amend the Agenda, Moved By R.Lee Flowers, **Seconded By** Myles Sharp adding the following Items:

- Item #36- Discussion regarding threshold Professional Services RFP's.
- Item #37- Applicant Agent Designation – Danny Meadors.
- Item # 38- Memorandum of Understanding between Café Climb and the City of Gulfport Police Department relating to Department of Justice Grant.
- Item# 39- Emergency Purchases – Elevator Repair - Harbor Services Facility Building.

Vote: Motion Carried By Unanimous Roll Call Vote

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



7

Resolution - approving and authorizing acceptance of donated real property from RWB, Sr., LLC and authorizing the Mayor to execute any and all documents as may be required to effectuate the acceptance of the same.

Motion to Approve, Moved By Ricky Dombrowski, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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



8

Resolution - approving a Memorandum of Agreement with Mississippi Sound Maritime Historical Foundation concerning a downtown sculpture installation and authorizing the

Mayor to execute the same.

Motion to Approve, Moved By R.Lee Flowers, **Seconded By** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

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



9

Resolution - authorizing negotiations with Regions Bank for the provision of Merchant Card Services to the City of Gulfport 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, Ricky Dombrowski, R.Lee Flowers, Ella Holmes-Hines, Cara Pucheu, Myles Sharp, Rusty Walker



10

Legal Notice - advertisement for bids for the Gulfport Repair and Replacement, Unit Price Project 2015.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



11

Approval - of letter to National Resource Conservations Service for funding related to Flat Branch under the Emergency Watershed Protection Program – please see agenda adjustments.

DELETED

Budget Amendments / Docket of Claims



12

Budget Amendment #43 - to budget Federal Shared Revenue for the Police Department.

Motion to Approve, Moved By Cara Pucheu, **Seconded By** Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

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

13

Budget Amendment #44 - to budget Federal Shared Revenue for the Police Department.

Motion to Approve, Moved By Cara Pucheu, **Seconded By** Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

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

- 14 Budget Amendment #45 - to transfer funds for the East Taylor Road Paving Project.

Motion to Approve, Moved By Cara Pucheu, **Seconded By** Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

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

- 15 Budget Amendment #46 - to transfer funds from 28th Street Projects to various drainage and paving projects.

Motion to Approve, Moved By Cara Pucheu, **Seconded By** Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

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

- 16 Budget Amendment #47 - to increase budget due to cemetery lot expansion.

Motion to Approve, Moved By Cara Pucheu, **Seconded By** Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

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



17

Docket of Claims- to be approved through April 22, 2015

Motion to Approve the Docket of Claims in the amount of \$2,916,049.67, Moved By R.Lee Flowers, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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



Routine Agenda

Motion to Approve, Moved By R.Lee Flowers, **Seconded By** Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

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

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

Approved on Routine Agenda

- 19 Associated Adjusters Check Register - for the month of March, 2015.

Approved on Routine Agenda

- 20 Year to Date Budget Report - for month ending February 28, 2015.

Approved on Routine Agenda

- 21 Public Records Requests - for the month of March 2015 - to be made a part of the minutes.
Approved on Routine Agenda
- 22 Approval - of revision to Lease Agreement for previously approved Arbitrator for the Police Department - to be made a part of the minutes.
Approved on Routine Agenda
- 23 Conveyance Deed - transfer of ownership of space(s) in Evergreen and Evergreen Gardens.
Approved on Routine Agenda
- 24 Ratification - of Lease Termination Agreement with Cruise Seafood & Specialty Meats, LLC (negotiated and executed per authority granted at April 7, 2015, meeting) - to be made a part of the minutes.
Approved on Routine Agenda
- 25 Letter - regarding quotes received by Purchasing for 900 10-Year Lithium Ion Battery Operated Smoke Alarms and 500 Carbon Monoxide Alarms - Fire and Community Development Departments - to be made a part of the minutes.
Approved on Routine Agenda
- 26 Letter - regarding bid awarded by Purchasing for a Submersible Sewer Pump - Public Works Department - to be made a part of the minutes.
Approved on Routine Agenda
- 27 Letter of Recommendation - regarding the purchase of a Dual Purpose Canine as per MS Code 21-21-5 for the Police Department - to be made a part of the minutes.
Approved on Routine Agenda
- 28 Letter of Recommendation - regarding the purchase of a new track type excavator for Public Works Department Maintenance Garage - to be made a part of the minutes.
Approved on Routine Agenda
- 29 Letter of Recommendation - regarding the purchase of one each new rubber tired backhoe for Public Works Department Maintenance Garage - to be made a part of the minutes.
Approved on Routine Agenda
- 30 Letter of Recommendation - regarding the purchase of a Forestry Cutter for Public Works Department Maintenance Garage - to be made a part of the minutes.
Approved on Routine Agenda
- 31 Letter of recommendation - regarding the purchase of a pneumatic forklift for Public Works Department Maintenance Garage - to be made a part of the minutes.
Approved on Routine Agenda
- 32 Letter of Recommendation - Lighting Replacement at the Bayou View Baseball Complex for the 2016 season.
Approved on Routine Agenda
- 33 Letter - requesting permission to reject bid and re-advertise for Air Compressor for Public Works Department Maintenance Garage.
Approved on Routine Agenda
- 34 Legal Notice - request permission to re-advertise for bids for Used Aerial Bucket Truck.

Approved on Routine Agenda

- 35 Letter of Recommendation - regarding promotional recruitment items for Human Resources Department.
Approved on Routine Agenda

Discussion regarding threshold Professional Services RFP's.



36

Motion to Amend the previous RFP Resolution threshold amount to \$30,000, Moved By Myles Sharp, **Seconded By** Ella Holmes-Hines
Vote: Motion Carried By Unanimous Roll Call Vote
Aye: Kenneth Casey, Ricky Dombrowski, R.Lee Flowers, Ella Holmes-Hines, Cara Pucheu, Myles Sharp, Rusty Walker



37

Applicant Agent Designation – Danny Meadors.

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



38

Memorandum of Understanding between Café Climb and the City of Gulfport Police Department relating to Department of Justice Grant.

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



39

Emergency Purchases – Elevator Repair - Harbor Services Facility Building.

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



Public Agenda

- **Citizen Forum - Thirty minutes shall be allowed for public input with a three-minute time limit on each speaker.**

The President called for comments during the Citizen Forum.

- Ms. Patricia Silva, resident of 303 Mary Drive.
- Mr. Howard Page, representative of Steps Coalition.
- Pastor Harold Spann, behalf of Ministerial Alliance.
- Rev. James Beal, of Ministerial Alliance.
- Pastor Mark Turner of Ministerial Alliance,

This concluded the Public Agenda.

Council Comments**Memorial Adjournment**

- Ms. Betty Jean Grovesnor
- Ms. Loretta Flowers
- Mr. Michael B. Day
- Mr. Alfred Young, Jr.
- Ms. Margaret L. Day
- Mr. Darnell Javon Jackson
- Ms. Margaret Harper Magee
- Mr. Louis Kennedy

**Executive Session - Request for closed session to determine the need for executive session at the request of the Legal Department.**

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

The Council entered closed session at 2:48 P.M. In attendance: Members of the Council: Casey, Dombrowski (in at 2:53), Holmes-Hines, Walker, Sharp, Flowers (in at 2:52) and Pucheu, Mayor Billy Hewes, General Counsel Hugh Keating, Kris Riemann, 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.

A motion was made by Councilmember Sharp, duly seconded by Councilmember Pucheu to come out of closed session and enter executive session at 2:50 P.M.

Vote: Motion Carried By The Following Call Vote:

Aye: Kenneth Casey, Ella Holmes-Hines, Cara Pucheu, Myles Sharp, Rusty Walker

Absent: Ricky Dombrowski and R.Lee Flowers

A motion was made by Councilmember Sharp, duly seconded by Councilmember Pucheu to exit Executive session at 2:53 P.M.

Vote: Motion Carried By Unanimous Roll Call Vote

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

No official action was taken during Executive Session.

Upon reconvening in open meeting the following action was taken:

A Motion was made by Councilmember Sharp, duly seconded by Councilmember Pucheu to authorize the City Attorney's Office to negotiate acquisition of easements to construct drainage improvements and to do any and all acts necessary and legal, including prosecution in special court of eminent domain and to obtain title for the City under SEC. 11-27-81, ET SEQ., MISS. CODE ANN. and to authorize special checks to expedite the acquisition of the SCOTT and DOWDY parcels for the Coffee Creek Drainage Project.

Vote: Motion Carried By Unanimous Roll Call Vote

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

Agenda Adjustments

- **Delete Policy Item #11**

Setting of Next Meeting and Adjournment

There being no further business to come before the Council, a motion was made by Councilmember Pucheu, duly seconded by Councilmember Casey to adjourn in memory of Ms. Betty Jean Grovesnor, Ms. Loretta Flowers, Mr. Michael B. Day, Mr. Alfred Young, Jr., Ms. Margaret L. Day, Mr. Darnell Javon Jackson, Ms. Margaret Harper Magee, Mr. Louis Kennedy until May 5, 2015 at 1:30 P.M. for a regular council meeting.

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, R.Lee Flowers, Cara Pucheu, Rusty Walker

Absent: Myles Sharp (out at 3:11 P.M), Ricky Dombrowski (out at 3:15 P.M), Ella Holmes- Hines (out at 3:28 P.M)

City Clerk

Mayor

Presentation - of Who's Next software for the Council Chambers will be held at the conclusion of the meeting.