



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Thursday, April 8, 2021

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 Regular Meeting on March 16, 2021 at 1:30 P.M.

Present: CAO Dr. John Kelly, General Counsel Hugh Keating, Clerk of Council Brittany Rodgers, **Councilmembers:** Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp (out at 2:09 P.M.), R.Lee Flowers, and Cara Pucheu. **Absent:** Mayor Billy Hewes

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

Agenda Order

Motion to Accept the Agenda, with the following adjustments; delete item 6, amend item 14's title to "...extension of bid price hold time" instead of "...Contract...", 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

Presentation Agenda

- **Mayor's Report**

Policy Issues

Code Enforcement / Planning

- 1 Code Enforcement Hearing - on resolution to 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 Code Enforcement Hearing, Moved By R.Lee Flowers, **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

There being no one present to object or address the Council, Motion to Close the Hearing and Approve the Resolution, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

Attachment(s):

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

- 2 Certificate of Resubdivision - divide into four parcels zoned R-1-15 (Single-family) - located at Marie Road - Case # 2102PC020 - Ward 6.

Motion to Approve Certificate of Resubdivision, Moved By R.Lee Flowers, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Certificate of Resubdivision - 2102PC020 - Signed](#)

- 3** Certificate of Resubdivision (Short Form) - divide into two parcels zoned T4+ (General Urban Zone "Plus") - located at 1321 27th Avenue - Case # 2105PC079 - Ward 2.

Motion to Approve Certificate of Resubdivision, Moved By Ron Roland, Seconded by Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Certificate of Resubdivision - 2105PC079 - Signed](#)

- 4** Acceptance of Perpetual Maintenance - Nine Water formally known as Water Sound Subdivision public improvements excluding roadway, release of Warranty Bond, and transfer of streetlight account to the City of Gulfport, and authorizing the release of the \$7,900 Maintenance Bond - Case # 1910PC117 - Ward 2.

Motion to Accept Perpetual Maintenance, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

Attachment(s):

[117 Cover](#)

[Nine Water Subdivision Warranty Acceptance \(Excluding Roadway\)](#)

[117 \(1\) year Maintenance Bond](#)

Ordinances

- 5** Ordinance - to rezone tax parcels from T3 (Sub-Urban Zone) to B-2 (General business) - located at East Pass Road and East Oak Drive - Case # 2102PC022 - Ward 2.

Motion to Adopt Ordinance, 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

Attachment(s):

[Ordinance 3069 - Signed](#)

Resolutions

- 6 Discussion - City of Gulfport expected American Rescue Plan Act Funding.

- Deleted -

Motion to Suspend the Rules, Moved By R.Lee Flowers, Seconded by Ron Roland

Vote: Motion Failed By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, R.Lee Flowers

Nay: Ella Holmes-Hines, Rusty Walker, Cara Pucheu

Absent: Myles Sharp

- 7 Order - by the Gulfport City Council, pursuant to Miss. Code Ann. §17-21-5(2), (rev. 2003, as amended), authorizing an exemption from municipal ad valorem taxes, excluding school district taxes, based on the increase in assessed value for qualifying capital improvement investments in qualifying structures in the designated redevelopment district, south of the CSX railroad tracks extending from the western city boundary to the eastern city boundary of the newly constructed structure located at 406 East Beach Blvd., Gulfport, Mississippi, in the First Judicial District of Harrison County, and identified as Parcel Number 0911F-01-042.000.

Motion to Approve Order, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

Attachment(s):

[Order - 406 East Beach Blvd - Signed](#)

- 8 Order - by the Gulfport City Council, pursuant to Miss. Code Ann. §17-21-5(2), (rev. 2003, as amended), authorizing an exemption from municipal ad valorem taxes, excluding school district taxes, based on the increase in assessed value for qualifying capital improvement investments in qualifying structures in the designated redevelopment district, south of the CSX railroad tracks extending from the western city boundary to the eastern city boundary of the newly constructed structure owned by BSC Enterprises, LLC located at 4832 West Beach Blvd., Gulfport, Mississippi, in the First Judicial District of Harrison County, and identified as parcel number 0711N-02-100.002.

Motion to Approve Order, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

Attachment(s):

[Order - 4832 West Beach Blvd - Signed](#)

- 9 Order - by the Gulfport City Council, pursuant to Miss. Code Ann. §17-21-5(2), (rev. 2003, as amended), authorizing an exemption from municipal ad valorem taxes, excluding school district taxes, based on the increase in assessed value for qualifying capital improvement investments in qualifying structures in the designated redevelopment district, south of the CSX railroad tracks extending from the western city boundary to the eastern city boundary of the newly constructed structure owned by Bruce W. Seidler and Judith K Seidler located at 537 Ruth Ave., Gulfport, Mississippi, in the First Judicial District of Harrison County, and identified as parcel number 0711N-02-100.000.

Motion to Approve Order, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

Attachment(s):

[Order - 537 Ruth Avenue - Signed](#)

- 10 Resolution - requesting the support of the Harrison County Board of Supervisors with respect to certain road repairs on River Road Drive, Sunshine Lane, Sandy Hook Lane, Fisherman's Trail, Huckleberry Cove, Danbury Cove, and a portion on Duckworth Road in the City of Gulfport, Mississippi, obtaining approval of said request by the Board, and for related purposes.

Motion to Approve, Moved By R.Lee Flowers, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Resolution - HCBOS Paving Request - Signed](#)

- 11 Resolution - approving Law Enforcement Support Office (LESO) and State Plan of Operation (SPO) Agreement between Mississippi and the Gulfport Police Department, authorizing the Mayor to execute the same, and for related purposes.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Resolution - LESO SPO with US DOD - Signed](#)

- 12** Resolution - approving Field Trial Agreement with AXON Enterprise, Inc., authorizing the Mayor to execute the same, and for related purposes.

Motion to Approve, Moved By R.Lee Flowers, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Resolution - AXON Field Trial Agreement - Signed](#)

- 13** Resolution - approving Change Order #4 to Contract with Gulf Breeze Landscaping, LLC, for the Downtown Streetscape Improvements Project – Phase III Project, authorizing the Mayor to execute the same, and for related purposes.

Motion to Approve, conditionally pending MDA approval, Moved By Cara Pucheu, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Resolution - Change Order #4 Gulf Breeze Landscaping - Downtown Streetscape Phase III - Signed](#)

- 14** Resolution - approving Extension of Bid Price Hold Time with SCI, Inc., for the Highway 49 and 18th Street Drainage Project, and for related purposes.

Council President Walker moved this item to the end of the meeting, without objection.

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

Motion to Approve, Moved By R.Lee Flowers, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Resolution - LSD Expenditure - Signed](#)

- 16** Resolution - approving sale of sidearm to Roger Gibson upon his retirement from the City of Gulfport and setting the amount to be paid for said firearm pursuant to Miss. Code Ann. § 45-9-131 (rev. 2014).

Motion to Approve, Moved By Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers, and Cara Pucheu, **Seconded by** Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers, and Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Resolution - LT Gibson Sidearm - Signed](#)

- 17** Resolution - designating Applicant Agent for the City of Gulfport in connection with Hazard Mitigation Grant Funding, and for related purposes.

Motion to Approve, Moved By R.Lee Flowers, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Resolution - Hazard Mitigation Applicant Agent - Signed](#)

- 18** Resolution - designating the Municipal Park located in the Broadmoor Subdivision in the City of Gulfport as "Alex North Park", and for related purposes.

This item was taken first.

Motion to Approve, Moved By Ron Roland, **Seconded by** Ella Holmes-Hines

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 - Alex North Park Designation - Signed](#)

- 19** Resolution - approving the temporary closure of municipal right of way for Chandy Fest scheduled for Saturday, May 22, 2021, citing Ordinance #2988, and for related purposes.

Motion to Approve, Moved By R.Lee Flowers, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Resolution - Chandy Fest Road Closure - Signed](#)

- 20** 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 R.Lee Flowers, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Resolution - COVID-19 SOE Extension #18 - Signed](#)

- 21** Resolution - reconfirming and extending the status of a State of Emergency due to the impacts of Hurricane Zeta on the City of Gulfport, and for related purposes.

Motion to Approve, Moved By R.Lee Flowers, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Resolution - Hurricane Zeta SOE #8 - Signed](#)

Budget Amendments / Docket of Claims

- 22** Budget Amendment #46 - increasing line item 277 Vehicles from drug related arrests.

Motion to Approve Budget Amendment #46, Moved By Ella Holmes-Hines, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Restitution 03082021](#)

[Budget Amendments - FYE 2021-46](#)

- 23** Budget Amendment #47 - increasing line item 277 Vehicles from forfeiture.

Motion to Approve Budget Amendment #47, Moved By Ella Holmes-Hines, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[March 19 \(forfeiture\)](#)

[Budget Amendments - FYE 2021-47](#)

- 24** Budget Amendment #48 - increasing line item 276 Vehicles from forfeiture.

Motion to Approve Budget Amendment #48, Moved By Ella Holmes-Hines, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[March 19 \(ins-motorcycle\)](#)

[Budget Amendments - FYE 2021-48](#)

- 25 Budget Amendment #49 - setting up budget for MS Office of Homeland Security Grant - Fire Department.

Motion to Approve Budget Amendment #49, Moved By Ella Holmes-Hines, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Budg. Amend - 4-8-21](#)

[Budget Amendments - FYE 2021-49](#)

- 26 Budget Amendment #50 - increasing line item 286 Capital (CNET) from restitution and forfeiture funds.

Motion to Approve Budget Amendment #50, Moved By Ella Holmes-Hines, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[CNET 03232021](#)

[Budget Amendments - FYE 2021-50](#)

- 27 Budget Amendment #51 - allocating funds for Tyler New World Fire Hardware & Connectivity - Fire Department.

Motion to Approve Budget Amendment #51, Moved By Ella Holmes-Hines, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Budget Amendment 4-8-21](#)

[Budget Amendments - FYE 2021-51](#)

- 28 Budget Amendment #52 - establishing an account for the Tidelands Grant - Courthouse Road Boat Launch and Maintenance Dredging Project.

Motion to Approve Budget Amendment #52, Moved By Ella Holmes-Hines, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Budget Amendment Courthouse Road Boat Launch
Budget Amendments - FYE 2021-52](#)

- 29 Budget Amendment #53 - transferring funds between accounts for signs - Public Works.

Motion to Approve Budget Amendment #53, Moved By Ella Holmes-Hines, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

[Budget Amendment to Transfer Funds to Public Works for Signs
Budget Amendments - FYE 2021-53](#)

- 30 Docket of Claims - to be approved through April 9, 2021.

Motion to Approve Docket of Claims, in the amount of \$4,808,212.68, Moved By R.Lee Flowers, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Attachment(s):

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

Routine Agenda

Motion to Approve, as presented, Moved By R.Lee Flowers, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

- 31** Legal Notice - advertisement for bids for RFP for Debris Removal Services.

Attachment(s):

[DebrisRemoval.2021.RFP](#)

- 32** Letter - regarding bid awarded by Purchasing to All Phase Electric Supply for Electrical Supplies - Leisure Services Department (Sportsplex) - to be made a part of the minutes.

Attachment(s):

[Electrical Parts Sportsplex.LS](#)

[Electrical Supplies Sportsplex.LS](#)

- 33** Letter - regarding bid awarded by Purchasing to All Phase Electric Supply for Shakespeare Poles - Public Works Department - to be made a part of the minutes.

Attachment(s):

[Shakespeare Pole.PW](#)

[Shakespeare Poles. PW](#)

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

Attachment(s):

[Nicholas Kelley](#)

[Trystan Burke](#)

[Jonathan Droddy](#)

[Jessica Sens](#)

[Nathaniel Nordin](#)

- 35** Ratification - of previously approved and executed Agreements, Contracts, and/or Documents - to be made a part of the minutes.

Attachment(s):

[Addendum No. 2 - Neel Shaffer, Inc. - BUILD Grant - Fully Executed](#)
[AXON Agreement - Fully Executed](#)
[Certificate of Substantial Completion - Hurricane Zeta - Executed](#)
[Mississippi Deep Sea Fishing Rodeo, Inc Facility Use Agreement - Executed](#)
[Planned Maintenance Agreement - Core Logistical Solutions, LLC - Executed](#)
[Supplemental Agreement No. 2 - JLB Contractors, LLC - Seaway Road Pedestrian Pathway - Executed](#)
[Tyler Technologies - Amendment to License Agreement - Fully Executed](#)

Public Agenda

The President called for comments during the Public Agenda.

The following Citizen(s) addressed the Council:

- Bill Murphy - 8 Joanna Lane
- Howard Bright - 1213 31st Avenue

This concluded the Public Agenda.

Council Comments

Memorial Adjournment

[Ms. Betty Joyce Godine-Bailey](#)

[Mr. Joe Crawford](#)

Ms. Belva Dean Doby

Ms. Hattie Lou Hill

Ms. Patricia Ann Hall

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 2:40 P.M., Moved By Ella Holmes-Hines, Seconded by Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

The Council entered Closed Session at 2:43 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers, and Cara Pucheu, CAO Dr. John Kelly, General Counsel Hugh Keating, City Attorney Jeff Bruni, Director of Public Work Wayne Miller, Director of Leisure Services Gus Wesson, and Clerk of Council Brittany Rodgers.

Motion to Exit Closed Session at 2:44 P.M., Moved By Ella Holmes-Hines, Seconded by Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ron Roland (out of room), Myles Sharp

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 2:46 P.M. for (1) strategy session with respect to prospective litigation associated with the Lyman Community Center; (2) strategy session with respect to pending litigation associated with Civil Action No. 1:19-cv-00010 in the United States District Court; (3) strategy session with respect to prospective litigation involving an automobile accident that occurred on February 27, 2021, involving the City's claims against Henry Ray Holmes arising out of damages to City property; (4) strategy session with respect to prospective litigation arising out of a delinquent harbor slip account/breached lease agreement involving Dennis Fretwell; (5) strategy session with respect to prospective litigation arising out of a delinquent harbor slip account/breached lease agreement involving Ryan Wall; and (6) strategy session related to item 14, Moved By Cara Pucheu, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

The Council entered Executive Session at 2:46 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland (in at 2:48 P.M.), Ella Holmes-Hines (in at 2:48 P.M.), Rusty Walker, R.Lee Flowers, and Cara Pucheu, CAO Dr. John Kelly, General Counsel Hugh Keating, City Attorney Jeff Bruni, Director of Public Works Wayne Miller, Director of Leisure Services Gus Wesson (out at 3:04 P.M.), and Clerk of Council Brittany Rodgers.

Councilmember Holmes-Hines recused and removed herself from the Chambers, from 2:46 - 2:48 P.M., during the discussion related to prospective litigation against Henry Ray Holmes.

Motion to Exit Executive Session at 3:20 P.M., Moved By Cara Pucheu, Seconded by R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

No official action was taken during Executive Session.

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

Motion to award bid and Contract for Construction of the U.S. Highway 49 at 18th Street Drainage Improvement Project to SCI, Inc., with the lowest and best responsive bid of \$1,820,730.80, which is approximately 10% lower than the engineering estimate, and to authorize the Mayor, or his designee, to execute and deliver any and all documents to effectuate this award, including, but not limited to, a Contract in connection with the same, Moved By Ella Holmes-Hines, Seconded by Ron Roland

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Motion to increase the budget for the City's Capital Projects Fund by \$100,000 to be used for the Capital Project/Account to be known or referred to as the "Lyman Community Center Repair Project", involving repair of parts of this facility's roof, exterior walls, and interior, authorizing utilization of the remaining balance of funds from the Capital Project/Account associated with repairs to the Orange Grove/Dedeaux Road Community Center Repair Projects for this "Lyman Community Center Repair Project", approving and authorizing any budget amendments necessary to effectuate this, Moved By Cara Pucheu, Seconded by R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Motion to authorize the City Attorney's Office to negotiate a resolution of the City's claims against Ryan Wall for breach of his lease agreement for a slip in the harbor to include Ryan Wall paying \$2,000 to the City by April 30, 2021, and Ryan Wall removing his boat from the City's harbor by May 31, 2021, with such resolution to also include the execution of any necessary settlement documents and agreements the City Attorney's Office might find necessary to effectuate this resolution, Moved By R.Lee Flowers, Seconded by Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Motion to authorize the City Attorney's Office to negotiate a full and final resolution of the lawsuit filed against the City and its employees by Lashun Rew to include the payment of \$19,000 to the City's insurer and/or Jenkins and his attorneys, which is less than the City's self-insured retention, with such resolution to also include the full and final settlement and dismissal of all lawsuits and claims with prejudice and the execution of any necessary settlement documents and indemnity agreements to fully conclude this matter, and to authorize payment and/or issuance of this \$19,000 amount to the City's insurer and/or Jenkins and his attorneys as part of this resolution, Moved By R.Lee Flowers, Seconded by Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

Motion authorizing the City Attorney's Office to take any and all actions necessary, including the filing of any lawsuits and all actions related thereto, and to authorize the expenditure of monies to go towards the payments of any costs or expenses incurred related to such actions, including court costs and fees and any other expenses, to recover damages to the City in the matter of City of Gulfport v. Dennis Fretwell arising out of a delinquent harbor slip account (breach of lease agreement) (disputed amount is claimed to be \$772.21 and accruing), 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

Motion authorizing the City Attorney's Office to file and pursue lawsuits against persons and/or entities who are delinquent in Harbor Slip Rentals/Accounts/Leases in the City's Bert Jones Yacht Basin/Municipal Marina up to the \$3,500 jurisdictional amount of the Justice Court of Harrison County, Mississippi and to authorize payment up to \$500 for any and all costs or fees incurred as a result of or in connection with each such lawsuit, Moved By Ella Holmes-Hines, Seconded by Ron Roland

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp

*** Councilmember Holmes-Hines recused and removed herself from the Chambers during the discussion and vote on the following item.**

Motion authorizing the City Attorney's Office to take any and all actions necessary, including the filing of any lawsuits and all actions related thereto, and to authorize the expenditure of monies to go towards the payments of any costs or expenses incurred related to such actions, including court costs and fees and any other expenses, to recover damages to the City in the matter of City of Gulfport v. Henry Ray Holmes and all others responsible for damage to City property arising out of an automobile accident on February 27, 2021 (amount is presently for \$3,078.76) Moved By R.Lee Flowers, Seconded by Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ella Holmes-Hines (recused), Myles Sharp

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. Joe Crawford, Ms. Betty Joyce Godine-Bailey, Ms. Belva Dean Doby, Ms. Hattie Lou Hill, and Ms. Patricia Ann Hall, until April 20, 2021 at 1:30 P.M. for a Regular Council Meeting, Moved By Cara Pucheu, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ella Holmes-Hines, Myles Sharp

City Clerk

Mayor