City of Gulfport, Mississippi

Minutes

City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, March 5, 2019	**1:30 PM**	***Gulfport City Hall Council Chambers***

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

The Mayor and Members of the Council met at City Hall at 1:30 P.M., on the above date, same being an adjourned meeting from a Regular Council Meeting held on February 19, 2019 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, Rusty Walker, R.Lee Flowers and Cara Pucheu. **Absent:** Councilmember Myles Sharp.

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

Agenda Order

Motion to Accept the Agenda with the following adjustments; delete items 6 and 14 at the request of the Administration, Moved By R.Lee Flowers**, Seconded by** Cara Pucheu

Vote: Motion Carried By The Following Roll Call Vote
Aye: Kenneth Casey, Ron Roland, Rusty Walker, R.Lee Flowers, Cara Pucheu
Nay: Ella Holmes-Hines
Absent: Myles Sharp

Presentation Agenda

- **Mayor's Report**

Policy Issues

Minutes / Appointments

1 Approval of Minutes - for January 8, 2019.

Motion to Approve Minutes for January 8, 2019, Moved By Ella Holmes-Hines, **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):
January 8, 2019 Minutes

2 Ratification - of re-appointment to the Gulfport School District Board of Trustees.

Motion to Ratify re-appointment to the Gulfport School District Board of Trustees, 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):
Re-Appointment Letter - Gulfport School Board - G. Norris

3 Ratification - of re-appointment to the Zoning Board of Adjustments and Appeals.

Motion to Ratify re-appointment to the Zoning Board of Adjustments and Appeals, 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):
Re-Appointment - Zoning Board - Palermo

Code Enforcement / Planning

4 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 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

There being no one present to object or address the Council, Motion to Close the Hearing and Approve the Resolution, 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 - Authorizing Advertisement for Bids - Signed

Resolutions

5 Resolution - availing itself of the State of Mississippi's Contract with AT&T Mobility National Accounts, LLC associated with the FirstNet Program, approving Memorandum of Agreement in connection with the same, authorizing the Mayor to execute the same, and for related purposes.

Motion to Approve, 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, R.Lee Flowers, Cara Pucheu
Absent: Myles Sharp

Attachment(s):
Resolution - AT&T FirstNet - Signed

6 Resolution - memorializing the Mississippi Legislature to enact Local and Private Legislation pertaining to a Local Option Tax for the City of Gulfport, and for related purposes.

- Deleted -

7 Resolution - approving award to Eagle Mechanical, Inc., for the Gaston Point Recreation Center Air Conditioning Replacement Project, approving Contract between the City of Gulfport and Eagle Mechanical, Inc., authorizing the Mayor to execute the same, and for related purposes.

Motion to Approve, Moved By Kenneth Casey, **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):
Resolution - Eagle Mechanical Inc - Gaston Point Rec Center AC Replacement - Signed

8 Resolution - approving Assignment of Amended Security and Remibursement Agreement, and for related purposes.

Motion to Approve, 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

Attachment(s):
Resolution - Assignment of Amended Security & Reimbursement Agreement - Signed

9 Resolution - approving Budget Modification (reduction) for the FY18 Alcohol Grant, ratifying the Mayor's signature on the same, and for related purposes.

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

Vote: Motion Carried By The Following Roll Call Vote
Aye: Kenneth Casey, Ron Roland, Rusty Walker, R.Lee Flowers, Cara Pucheu
Nay: Ella Holmes-Hines
Absent: Myles Sharp

Attachment(s):
Resolution - Ratifying Budget Modification Signature Sheet - 154 Alcohol FY19 Grant - Signed

10 Resolution - approving Revised Development Plan for Centennial Plaza, and for related purposes.

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, R.Lee Flowers, Cara Pucheu
Absent: Myles Sharp

Attachment(s):
Resolution - Revised Development Place for Centennial Plaza - Signed

11 Resolution - authorizing an expenditure for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport Leisure Services Department and for related purposes.

Motion to Approve, 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):
Resolution - LSD Expenditure - Signed

12 Resolution - authorizing an expenditure for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport Police Department and Fire Department, and for related purposes.

Motion to Approve, 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):
Resolution - GPD & GFD Expenditure - Signed

13 Resolution - approving public display of fireworks as a part of the Leukemia and Lymphoma Society Light The Night Event, 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, Ron Roland, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers, Cara Pucheu
Absent: Myles Sharp

Attachment(s):
Resolution - Leukemia & Lymphoma Society Light the Night Event - Fireworks - Signed

14 Resolution - accepting certain dedications with respect to North Park Estates Development, and for related purposes.

- Deleted -

15 Approval - of Engagement Letter with Mauldin & Jenkins for auditing services for the City of Gulfport for FYE September 30, 2018.

Motion to Approve Engagement Letter with Mauldin & Jenkins for auditing services for the City of Gulfport for FYE September 30, 2018, Moved By R.Lee Flowers, **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):
Engagement Letter - Mauldin & Jenkins
Engagement Letter - Mauldin & Jenkins - Signed

Budget Amendments / Docket of Claims

16 Budget Amendment #37 - to increase Police Salary / Training from funds received by Dispatchers attending classes.

Motion to Approve Budget Amendment #37, 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):
February 14th (training-salary)
Budget Amendments-FYE 2019-37

17 Budget Amendment #38 - to decrease FY18 H.I.D.T.A. funds due to a reduction in the Grant Award.

Motion to Approve Budget Amendment #38, 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):
Modification on Budget FY18
Budget Amendments-FYE 2019-38

18 Budget Amendment #39 - to increase Police Department Supplies line item for the FY17 Bulletproof Vest Program.

Motion to Approve Budget Amendment #39, 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):
FY17 Bullet Proof Vest Amendment
Budget Amendments-FYE 2019-39

19 Budget Amendment #40 - to increase the County/Local operating supplies from funds received as restitution from drug arrest.

Motion to Approve Budget Amendment #40, 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):
February 19th (restitution)
Budget Amendments-FYE 2019-40

20 Budget Amendment #41 - to increase the County/Local Operating line item from funds received as a result of items sold on Propertyroom.com.

Motion to Approve Budget Amendment #41, 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):
February 25th (property room)
Budget Amendments-FYE 2019-41

21 Budget Amendment #42 - to increase Photo/Fingerprinting (213) line item from funds received as a result of items sold on Propertyroom.com.

Motion to Approve Budget Amendment #42, 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):
February 25th (property room)
Budget Amendments-FYE 2019-42

22 Budget Amendment #43 - to increase line item 286 (operating) from funds received as a result of restitution paid for drug related arrest.

Motion to Approve Budget Amendment #43, 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):
February 25th (restitution)
Budget Amendments-FYE 2019-43

23 Docket of Claims - to be approved through March 6, 2019.

Motion to Approve the Docket of Claims, in the amount of $2,468,895.48, 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):
Docket
Docket by Vendor
Resolution - Docket of Claims - Signed

Routine Agenda

Motion to Approve Routine Agenda as presented, with the exception of items 33 and 42, 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

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

Attachment(s):
Resolution - Awarding Bids for Lot Cleanups - Signed

25 Associated Adjusters Check Registers - for workers' comp and general liability claims paid during January 2019 - to be made a part of the minutes.

Attachment(s):
Associated Adjusters Check Registers - January 2019

26 Bi-Weekly Payroll Report - for the month of January, 2019 - to be made a part of the minutes.

Attachment(s):
Bi-Weekly Payroll Report - January 2019

27 Year-To-Date Budget and Project Report - for the Month of January, 2019 - to be made a part of the minutes.

Attachment(s):

Year-To-Date Budget Report - January 2019

28 Letter - regarding bid awarded by Purchasing to Unique Collision Center, Inc. for repair of Unit 3971 - Police Department - to be made a part of the minutes.

Attachment(s):
Unique Collision Center, Inc - Repair Unit 3971

29 Letter - regarding bid awarded by Purchasing to IT SAVVY for computers and monitors - IT Department - to be made a part of the minutes.

Attachment(s):
IT SAVVY - Computers & Monitors

30 Letter - regarding bid awarded by Purchasing to Shop Sabre a N.A.C.S.I. Company for a CNC Router System - Leisure Services (Harbor Lights) - to be made a part of the minutes.

Attachment(s):
Shop Sabre a N.A.C.S.I. Company - CNC Router System

31 Legal Notice - advertisement for bids for Jet Vac for Streets & Drainage Division of Public Works.

Attachment(s):
Legal Notice - Combination Jet Vac Truck

32 Legal Notice - advertisement for bids for Regenerative Sweeper Truck for Streets & Drainage Division of Public Works.

Attachment(s):
Legal Notice - Regenerative Sweeper Truck

33 Ratification - of GRC Line of Credit Expenditures - to be made a part of the minutes.

Motion to Ratify the GRC Line of Credit Expenditures - to be made a part of the minutes, Moved By R.Lee Flowers, **Seconded by** Cara Pucheu

Vote: Motion Carried By The Following Roll Call Vote
Aye: Kenneth Casey, Ron Roland, Rusty Walker, R.Lee Flowers, Cara Pucheu
Nay: Ella Holmes-Hines
Absent: Myles Sharp

Attachment(s):
Use of GRC Line of Credit

34 Ratification - of Term Contract Group P3 - Fencing - Southern Exteriors Fence Company - to be made a part of the minutes.

Attachment(s):
Term Contract Group P3 - Southern Exteriors Fence Company - Fully Executed

35 Ratification - of Memorandum of Understanding between Gulfport-Biloxi Regional Airport Authority and the City of Gulfport, pertaining to SWAT Training - to be made a part of the minutes.

Attachment(s):
MOU - GBRAA and COG - SWAT Training - Fully Executed

36 Ratification - of Supplemental Agreement #2 to Contract with Jay Bearden Construction, Inc., for the Courthouse Road Improvements from US 90 to Pass Road Project - to be made a part of the minutes.

Attachment(s):
Supplemental Agreement 2 - Jay Bearden Construction - Courthouse Road - Fully Executed

37 Ratification - of Gulf Coast Community Foundation Grant Agreement - to be made a part of the minutes.

Attachment(s):
Gulf Coast Community Foundation Grant Agreement - Fully Executed

38 Ratification - of Designation of Applicant's Agent Form for Public Assistance - to be made a part of the minutes.

Attachment(s):
Designation of Applicant's Agent for Public Assistance Form - Fully Executed

39 Ratification - of 2018 Fiscal Year Funding and Grant Agreement for Community Development Block Grant Entitlement Funds from the U.S. Department of Housing and Urban Development - to be made a part of the minutes.

Attachment(s):
FY18 CDBG Agreement - Fully Executed

40 Ratification - of Non-Exclusive Telecommunications Franchise Agreement between the City of Gulfport and Telepak Networks, Inc. D/B/A "C-Spire Fiber" - to be made a part of the minutes.

Attachment(s):
Non-Exclusive Franchise - Telepak - Signed

41 Ratification - of Contract with Covington Flooring Company, Inc. for Gaston Point Gym Floor Replacement Project - to be made a part of the minutes.

Attachment(s):
Covington Flooring Company Contract - Gaston Point Gym Floor Replacement - Fully Executed

42 Ratification - of City Engineer's letter approving Engineering and Construction Agreements (DDR - TIF Plan related) - to be made a part of the minutes.

Motion to Spread upon the Minutes the City Engineer's letter approving Engineering and Construction Agreements (DDR - TIF Plan related), 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):
Engineer's Letter - BMA and Construction agreement

Public Agenda

The President called for comments during the Public Agenda.

The following Citizen(s) addressed the Council:

- Cody - A1 Automotive - 3212 26th Avenue
- Deidra Dunn-Pleasant - Resident of 1919 38th Avenue

This concluded the Public Agenda.

Council Comments

Memorial Adjournment

Mr. Carl James Bowser, Sr.

Executive Session

Upon the advice of General Counsel, Motion to Enter Closed Session to make a preliminary determination of the necessity for Executive Session, 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

The Council entered Closed Session at 2:50 P.M. In attendance: Councilmembers: Kenneth Casey (out at 2:54 P.M.), Ron Roland, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers, and Cara Pucheu, Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, Director of Urban Development Greg Pietrangelo, and Clerk of Council Brittany Rodgers.
Motion to Exit Closed Session at 2:54 P.M., Moved By Ella Holmes-Hines, **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

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 2:55 P.M. for litigation strategy associated with ongoing litigation (HCUA v. Gulfport) and discussion regarding prospective leasing of lands/property interests at Centennial Plaza and two different locations in the harbor area, Moved By Ron Roland, **Seconded by** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote
Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers, Cara Pucheu
Absent: Kenneth Casey (out of room), Myles Sharp

The Council entered Executive Session at 2:55 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines (out at 3:29 P.M.), Rusty Walker, R.Lee Flowers, and Cara Pucheu, Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, City Attorney Jeff Bruni (out at 2:58 P.M.), GRC Attorney Steve Hendrix (in at 2:59 P.M.), GRC Member Wayne Tisdale (in at 2:59 P.M.), and Clerk of Council Brittany Rodgers.

Motion to Exit Executive Session at 3:43 P.M., Moved By Kenneth Casey, **Seconded by** Rusty Walker

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

No official action was taken during Executive Session.

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. Carl James "Mailman" Bowser, Sr., until March 19, 2019 at 1:30 P.M. for a Regular Council Meeting, Moved By Ron Roland, **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, Myles Sharp

Clerk

Mayor