City of Gulfport, Mississippi

Minutes

City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, June 2, 2015	**1:30 PM**	***Gulfport City Hall Council Chambers***

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 regular council meeting held on May 19, 2015 at 1:30 P.M. Present: Mayor Billy Hewes (out at 2:11), General Counsel Hugh Keating, Council Members: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines (in at 1:39), Rusty Walker, R.Lee Flowers and Cara Pucheu.
Absent: Myles Sharp (out of town)

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 Pucheu, duly seconded by Councilmember Casey to accept the agenda with the following changes: Deletion of Item #7 and add Item #10-A Street Closure Request from Chandeleur Brewery. The motion carried the following vote:

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

Presentation Agenda

• Mayor's Report

The President called for the Mayor's Report.

The Mayor called upon Navy Captain Paul Odenthal to receive the Proclamation naming the City of Gulfport "Seabee Town USA".

The Mayor announced the official ribbon cutting for the Gulfport Harbor Farmer's Market in the Market Pavilion, tomorrow at 10 A.M.

Mayor Hewes reported that majority of the furniture back from Beauvoir that has been placed in Grass Lawn.

The Mayor announced the following upcoming events:

*The Gathering will be this Saturday at Barksdale Pavilion, starting at 11 A.M.
*Biloxi Shucker's Baseball Inaugural game this Saturday. First pitch is at 7:10 P.M.
*Hot Rod Power Tour this Thursday, June 11 at Centennial Plaza.
*Grand Opening and Gala of Gulfport Galleria of Art, Thursday, June 18 at 4 P.M. and the Gala on Friday, June 19 at 5:30 P.M.
*1st Annual Tour de Gulfport Criterium Championship and Street Festival; Downtown Gulfport, Saturday, June 20 from 9 A.M- 5P.M.

This concluded the Mayors Report.

Policy Issues

Minutes

1 Approval of minutes - for May 19, 2015.

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, Rusty Walker
Absent: Myles Sharp

Code Enforcement / Planning

2 Appeal (Objection) to the recommendation by the Planning Commission for Final Plat Approval of Oak Landing Subdivision, Phase 1 on tax parcels 1008G-02-130.000, 1008G-02-130.001, 1008J-02-001.000 containing 40.53 acres aggregate, zoned R-1-10(Single-Family Residential), located south of Fishermans Trail, north of Lorraine Road, east of and adjacent to Ollie Road and west of the Biloxi River - Case #1504PC026 - Ward 6.

Motion to uphold planning approval, **Moved By** R.Lee Flowers, **Seconded By** Kenneth Casey

The following citizen addressed the Council:

- Ms. Frances Hoffman, appellant of 5 Hillwod Dr. Mobile, AL

Motion to withdraw motion, Moved By R.Lee Flowers, **Seconded By** Kenneth Casey

Motion to uphold the Planning Commission's recommendation to approve with the following contingencies: rectify signage lettering, remove construction materials in front of fence, Install ADA compliant sidewalks in common areas to Ollie Road, and silt erosion/fencing/landscaping correction Moved By R.Lee Flowers, **Seconded By** Cara Pucheu

The President called a vote on the motion as amended.

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

3 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 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, Rusty Walker
Absent: Myles Sharp

Motion to Close the 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, Rusty Walker
Absent: Myles Sharp

Resolutions

4 Resolution - approving a Mutual Aid Agreement between the City of Gulfport and the Naval Construction Battalion Center for the Provision of Fire Protection Services and authorizing the Mayor to execute the same.

Motion to Approve, **Moved By** Kenneth Casey, **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, Rusty Walker
Absent: Myles Sharp

5 Resolution - approving Agreement with Producers of Precious Cargo for use of municipal facilities for filming and authorizing the Mayor tor his designee to execute the same.

Motion to Authorize the Administration to negotiate Location Agreement, subject to Legal review, (producers may use municipal facilities and street closures may be necessary), 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, Rusty Walker
Absent: Myles Sharp

6 Resolution - approving Clinical Contract Agreement with William Carey University and authorizing the Mayor to execute the same.

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, Rusty Walker
Absent: Myles Sharp

7 Resolution - approving Amendment #1 to the Agreement with Eley Guild Hardy Architects, PA related to the Elevated Fuel and Service Supply Facility Project and authorizing the Mayor to execute the same.

DELETED

8 Resolution - approving Change Order #2 to the contract with J.E. Borries, Inc., for repairs to the Piers and Jetties as a result of damages caused by Hurricane Isaac and authorizing the Mayor to execute 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, Rusty Walker
Absent: Myles Sharp

9 Resolution - requesting permission to apply for 2015 Justice Assistance Grant Program (JAG) for the Police Department and authorizing the Mayor to execute the same.

Motion to Approve, **Moved By** Cara Pucheu, **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, Rusty Walker
Absent: Myles Sharp

10 Resolution - approving and appointing Mississippi Municipal League 2015 voting delegates for the City of Gulfport.

Motion to Approve and Appoint Mayor Billy Hewes, Councilwoman Cara Pucheu, and Councilwoman Ella Holmes-Hines as MML Voting Delegates for MML 2015, 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, Rusty Walker
Absent: Myles Sharp

Budget Amendments / Docket of Claims

11 Budget Amendment #54 - transfer of funds received as a result of a drug forfeiture.

Motion to Approve, Moved By R.Lee Flowers, **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, Rusty Walker
Absent: Myles Sharp

12 Budget Amendment #55 - increasing line item for funds received as a result of the sale of scrap material for the Police Department.

Motion to Approve, Moved By R.Lee Flowers, **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, Rusty Walker
Absent: Myles Sharp

13 Budget Amendment #56 - to transfer funds within the Publics Words Department for purchase of a concrete cutter.

Motion to Approve, Moved By R.Lee Flowers, **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, Rusty Walker
Absent: Myles Sharp

14 Budget Amendment #57 - to budget funds received for Public Works Wireless Project.

Motion to Approve, Moved By R.Lee Flowers, **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, Rusty Walker
Absent: Myles Sharp

15 Docket of Claims - to be approved through June 3, 2015.

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

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

Routine Agenda

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

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

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

Approved on the Routine Agenda

17 Associated Adjusters Check Register - for month of April, 2015.

Approved on the Routine Agenda

18 Letter - regarding bid awarded by Purchasing for 17th Street & Dedeaux Road Repairs - Public Works Department - to be made a part of the minutes.

Approved on the Routine Agenda

19 Letter - regarding bid awarded by Purchasing for Barracuda Firewall - to be made a part of the minutes.

Approved on the Routine Agenda

20 Letter - regarding bid awarded by Purchasing for Materials to Remodel Fire Station 8 - Fire Department - to be made a part of the minutes.

Approved on the Routine Agenda

21 Letter - regarding bid awarded by Purchasing for the 22nd Avenue and 21st Avenue Alley Sewer Project - Public Works Department - to be made a part of the minutes.

Approved on the Routine Agenda

22 Letter of recommendation regarding bids received for Air Compressor - Public Works Maintenance Garage - to be made a part of the minutes.

Approved on the Routine Agenda

23 Letter of recommendation - regarding bids received by Purchasing for Benshaw 200HP 460V VFD - Public Works Department - to be made a part of the minutes.

Approved on the Routine Agenda

24 Request - authorization to reject bids for 45' Used Bucket Truck and request permission to re-advertise.

Approved on the Routine Agenda

Public Agenda

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

Council Comments

Memorial Adjournment

- **Mr. Milton Lee Marshall, Sr.**
- **Ms. Millie Dianne Newman**
- **Mr. Donnie Leopard**

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 Flowers, duly seconded by Councilmember Pucheu to close the meeting to determine the need for executive session.

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

The Council entered closed session at 2:25 P.M. In attendance: Members of the Council: Casey, Dombrowski, Holmes-Hines, Walker, Flowers and Pucheu; Mayor Billy Hewes, General Counsel Hugh Keating, Assistant City Attorney Margaret Murdock, City Engineer 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 potential litigation.

A motion was made by Councilmember Flowers, duly seconded by Councilmember Pucheu to come out of closed session and enter executive session at 2:29 P.M.

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

Absent: Myles Sharp

A motion was made by Councilmember Dombrowski, duly seconded by Councilmember Casey to exit Executive session at 2:42 P.M.

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

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 Councilmember Pucheu, duly seconded by Councilmember Dombrowski, to authorize the Office of the City Attorney to agree to pending and soon to be filed petition of the Lynn Meadows Discovery Center to vacate of that certain portion of Right of Way (alley) between tax parcel 0911A-02-107.000 and tax parcels 0911A-02-014.000 and 0911A-02-013.000, subject to an easement being provided to the City in a width as may be required by the Department of Engineering and/or the Department of Public Works.

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

A motion was made by Councilmember Pucheu, duly seconded by Councilmember Flowers to authorize the Office of the City Attorney be granted authority to resolve the City's claim for property damage against Nancy Vergara (insured by USAA) for the total sum of $5,199.75 for damages sustained to the City's 2006 Ford Crown Victoria (VIN 2FAFP71W06X165757) in a motor vehicle accident on April 8, 2015, and that the City be authorized to retain the salvage and that the Mayor or other appropriate official be authorized to execute any and all documents as may be required to effectuate the resolution of the property damage portion of this claim.

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

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 Casey to adjourn in memory of Mr. Milton Lee Marshall Sr., Ms. Millie Dianne Newman, and Mr. Donnie Leopard until June 16, 2015 at 1:30 P.M. for a regular council meeting.

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

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City Clerk

_____
Mayor

Agenda Adjustments

Add Policy Item #10-A

Request - for street closure for a special event by Chandeleur Brewery scheduled for June 19, 2015.

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

Delete Policy Item #7

At the Request of the Administration.

Public Meeting Notice

The Gulfport City Council will hold its regularly scheduled meeting on Tuesday, June 2, 2015. The meeting will be held at 1:30 PM in the Council Chambers at Gulfport City Hall (2309 15th Street, Gulfport, MS) where participation is available to the general public.

Notice is hereby given the Councilman Myles Sharp may attend some or all of the hearing and meeting via teleconference. The public is advised that any interruption in the teleconference of the meeting shall result in the suspension of action at the meeting until repairs are made and public access restored.

*Note: Councilman Myles Sharp did not participate in the meeting via teleconference.