



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, December 22, 2020

1:30 PM

*Gulfport City Hall
Council Chambers*

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

The Mayor and Members of Council met at City Hall at 1:30 P.M., on the above date, same being an adjourned meeting from a Special Call Meeting on December 18, 2020 at 3:30 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 (teleconference), Rusty Walker, Myles Sharp (out at 3:09 P.M.), R.Lee Flowers, and Cara Pucheu.

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

Agenda Order

Motion to Accept the Agenda with the following adjustments; add item 15 - A - Resolution - approving Mississippi Department of Environmental Quality Release of Claims concerning Aquarium Project, and for related purposes, add item 15 - B - Resolution - authorizing the entry into a Letter of Credit at and authorizing use of funds drawn from said Letter of Credit for certain costs and expenses associated with Hurricane Zeta Debris Removal, pursuant to Miss Code Ann. § 33-15-17(b), and for related purposes, add item 15 - C - Budget Amendment #20 - funding Debris Removal/Monitoring Contracts - Hurricane Zeta, add item 15 - D - Budget Amendment #21 - transferring funds within the Council budget, and add item 23 - A - Request - issuance of a special check payable to Tetra Tech Inc. for Debris Removal/Monitoring Services related to Hurricane Zeta damage, Moved By Myles Sharp, **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

Presentation Agenda

- Mayor's Report

Policy Issues

Minutes

- 1 Approval of Minutes - for November 3, 2020.

Motion to Approve Minutes for November 3, 2020, amending item #19 as Ella Holmes-Hines as a Nay, 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, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[November 3, 2020 Minutes](#)

Code Enforcement / Planning

- 2 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 Cara Pucheu, **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

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, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

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

- 3** Planning Commission Approval - request tow yard use, Zoned B-2 (General business) - located at 1009 Dart Circle - Case # 2010PC117 - Ward 1 - with Appeal.

Motion to Deny the Appeal, Moved By Kenneth Casey, **Seconded by** R.Lee Flowers

Ms. Christine addressed the Council.

Upon the advice of General Counsel, Motion to Enter Closed Session to make a preliminary determination of the necessity for Executive Session at 2:04, 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, Myles Sharp, R.Lee Flowers, Cara Pucheu

The Council entered Closed Session at 2:04 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines (teleconference), Rusty Walker, Myles Sharp, R.Lee Flowers, and Cara Pucheu, General Counsel Hugh Keating, City Attorney Jeff Bruni, Director of Urban Development Greg Pietrangelo, and Clerk of Council Brittany Rodgers.

Motion to Exit Closed Session at 2:05 P.M., 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

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 2:06 P.M. for strategy session with respect to potential litigation, Moved By Myles Sharp, **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

The Council entered Executive Session at 2:07 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines (teleconference), Rusty Walker, Myles Sharp, R.Lee Flowers, and Cara Pucheu, CAO Dr. John R. Kelly (in at 2:09 P.M.), General Counsel Hugh Keating, City Attorney Jeff Bruni, Director of Urban Development Greg Pietrangelo, and Clerk of Council Brittany Rodgers.

Motion to Exit Executive Session at 2:12 P.M., Moved By Myles Sharp, **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

No official action taken during Executive Session.

Vice President Sharp - Chair

Mr. Howard - proffered exhibit A (red truck picture) and exhibit B (flatbed truck picture)

Chair called the question on the original Motion.

Vote: Motion Carried By The Following Roll Call Vote

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

Nay: Ella Holmes-Hines

Attachment(s):

[117 Cover](#)

[117 Technical Report](#)

[117 Report Attachment](#)

[117 Locator](#)

[117 Packet](#)

[117 Deeds](#)

[117 Notification](#)

[117 Adj](#)

[PC Proof of Publication](#)

[117 Appeal Letter](#)

[117 Transcript](#)

Ordinances

- 4** Ordinance - to rezone a tax parcel from B-2 (General business) and I-1 (Light industry) to completely B-2 - located at 2911 25th Avenue - Case # 2011PC156 - Ward 3.

Motion to Adopt Ordinance, 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):

[Ordinance 3057 - Signed](#)

- 5 Ordinance - amending Section 1-96 of the Code of Ordinances, and for related purposes.

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

Amend Ordinance to unstricken Insurance and Grant Administration, 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 President called the question.

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):

[Ordinance 3058 - Signed](#)

Resolutions

- 6 Resolution - accepting a United States Department of Labor Workforce Innovation & Opportunity Act Grant from and through the Southern Mississippi Planning & Development District, authorizing the Mayor to execute any and all documents required to accept said Grant, 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 - SMPDD Grant - FF Training - Signed](#)

- 7 Resolution - approving Award Contract with Bureau of Fiscal Service, Division of Procurement Services, for Water and Sewer Services, approving Contract between the City of Gulfport and Bureau of Fiscal Service, Division of Procurement Services (based on metered service), authorizing the Mayor (or designee) to execute the same, and for related purposes.

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

Motion to Table, 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

Motion to Take off the Table, 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

Restate Motion adding conditional upon the understanding that it will be metered billing, 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 - US Armed Forces Retirement Home Water-Sewer - Signed](#)

- 8 Resolution - approving Standard Sales Terms and Conditions with HID Global, 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 - Standard Sales Terms & Conditions with HID Global - Signed](#)

- 9 Resolution - approving and accepting alternate path for Build Grant Project, and for related purposes.

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

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 - Alt. path for BUILD Grant Project - Signed](#)

- 10** Resolution - approving and adopting Master Plan for the Department of Leisure Services, 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 Master Plan - Signed](#)

- 11** Resolution - approving Grant Award Agreement with the Mississippi Department of Marine Resources for the Courthouse Road Boat Launch and Maintenance Dredge Project, and for related purposes.

Motion to Approve, Moved By Ron Roland, **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

Attachment(s):

[Resolution - DMR Grant Courthouse Road Boat Launch and Maintenance Dredge Project - Signed](#)

- 12** Resolution - approving and authorizing execution of Subaward Agreements between the City of Gulfport, Mississippi, and the City of Biloxi, Mississippi, and between the City of Gulfport, Mississippi, and Harrison County, Mississippi, relating to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2020, 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 - Subaward Agreement JAG Grant Biloxi and HARCO 2020 - Signed](#)

- 13** Resolution - declaring Hurricane Zeta related Mulch (municipal personal property) to be surplus property which is not used or needed by the municipality and to have no value to the municipality and authorizing disposal of said mulch, 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 - declaring Hurricane Zeta Mulch surplus - Signed](#)

- 14** Resolution - memorializing the Mississippi Congressional Delegation to encourage the President to issue a Major Disaster Declaration for Mississippi inclusive of Harrison County, Mississippi, 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 - Memorializing MS Congressional Delegation - Major Disaster Declaration for MS - Hurricane Zeta - Signed](#)

- 15** Resolution - approving sale of sidearm to Lieutenant Joseph Ashmore 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 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 - Sale of Sidearm - Lt. Joseph Ashmore - Signed](#)

- 15 – A** Resolution - approving Mississippi Department of Environmental Quality Release of Claims concerning Aquarium Project, 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):

[\(Governmental Entity\) Sub-Award Release of Claims Template - MS Aquarium](#)

- 15 – B** Resolution - authorizing the entry into a Non-Revolving Line of Credit at The First, a National Banking Association, and authorizing use of funds drawn from said Non-Revolving Line of Credit for certain costs and expenses associated with Hurricane Zeta Debris Removal, pursuant to Miss Code Ann. § 33-15-17(b), and for related purposes.

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

Motion to Table, 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

Motion to Take off the Table, 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

The President called the Question.

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 - Non-Revolving Line of Credit - The First - Hurricane Zeta Debris Removal - Signed](#)

Budget Amendments / Docket of Claims

- 15 – C** Budget Amendment #20 - funding Debris Removal/Monitoring Contracts - Hurricane Zeta.

Motion to Approve Budget Amendment #20, 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):

[BAPW - Debris Removal Funding Budget Amendments - FYE 2021-20](#)

15 – D Budget Amendment #21 - transferring funds within the Council budget.

Motion to Approve Budget Amendment #21, 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):

[BA - A/V Upgrades](#)

[Budget Amendments - FYE 2021-21](#)

16 Budget Amendment #22 - increasing line item 286 Capital from restitution.

Motion to Approve Budget Amendment #22, 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):

[November 25th \(signed\)](#)

[Budget Amendments - FYE 2021-22](#)

17 Budget Amendment #23 - increasing Federal Vehicles from forfeiture (276).

Motion to Approve Budget Amendment #23, 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):

[December 11th \(signed\)](#)

[Budget Amendments - FYE 2021-23](#)

- 18** Docket of Claims - to be approved through December 23, 2020.

Motion to Approve Docket of claims, in the amount of \$4,674,566.97, 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

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

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 - awarding bids - Signed](#)

- 20** Letter - regarding bid awarded by Purchasing to Doorways, Inc. - Fire Department - to be made a part of the minutes.

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):

[Engine Bay Door.FD](#)

[Engine Bay Door.FD](#)

- 21** Letter - regarding Emergency Purchase Authorization for rental of Bypass Pumps & Hoses due to Hurricane Zeta - Public Works - to be made a part of the minutes.

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):

[Emergency.Bypass Pumps.Zeta](#)

- 22** Request - to add Francis X Collins Fitness Center to existing Standard Lease Agreement with MS Power for LED Lighting Services.

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):

[Letter Requesting to enter into an agreement with MS Power](#)

- 23** Request - issuance of a special check to fund Flexible Spending Account for 2021.

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):

[FSA Funding request2021 signed](#)

- 23 – A** Request - issuance of a special check payable to Tetra Tech Inc. for Debris Removal Monitoring Services related to Hurricane Zeta Damage.

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):

[Special Check for invoice 51675322](#)

[Tetra Tech Invoice 51675322](#)

- 24** Request - to retire K-9, Rossi, and transfer to handler.

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):

[Request to Retire K9 Rossi](#)

Public Agenda

Council Comments

Memorial Adjournment

[Mayor Joel Travis Miles](#)

[Ms. Martita Pierce](#)

[Mr. Robert L Bob Mangum Sr.](#)

[Mr. Johnny Hatten](#)

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 3:36 P.M., 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

The Council entered Closed Session at 3:36 P.M. In attendance: Councilmembers: Ron Roland, Ella Holmes-Hines (teleconference), Rusty Walker, R.Lee Flowers, and Cara Pucheu, Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, City Attorney Jeff Bruni, Director of Public Works Wayne Miller, and Clerk of Council Brittany Rodgers. Absent: Councilmembers Kenneth Casey and Myles Sharp.

Motion to Exit Closed Session at 3:37 P.M., Moved By R.Lee Flowers, Seconded by Ron Roland

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Kenneth Casey, 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 3:38 P.M. for (1) strategy session with respect to ongoing litigation associated with Cowan Road and Highway 90, LLC; and (2) strategy session with respect to prospective litigation associated with Dedeaux Road Widening Project, 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

The Council entered Executive Session at 3:38 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines (teleconference), Rusty Walker, R.Lee Flowers, and Cara Pucheu, Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, City Attorney Jeff Bruni, Director of Public Works Wayne Miller, and Clerk of Council Brittany Rodgers. Absent: Councilmember Myles Sharp.

Motion to Exit Executive Session at 3:40 P.M., 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

No official action was taken during Executive Session.

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

Motion to increase the limit placed by the City's Governing Authority on June 2, 2020, on the expenditure of monies for purposes of preparation of a record associated with the appeal of the award of fees issued by the Circuit Court of Harrison County, Mississippi in a pending suit filed by Cowan Road & Highway 90, LLC and Priority One Bank from \$7,500 to \$15,000 and for issuance of a special check from the General Fund in the amount of \$11,296.20 made payable to the Circuit Court of Harrison County, Mississippi for payment of the Clerk's "Estimated Costs for Appeal Record" issued on December 9, 2020, in this matter, 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

Motion to authorize increase of final payment to Moran Hauling, Inc. from \$120,509.00, as authorized and approved previously by the City's Governing Authority on June 2, 2020 (prior to approval and issuance of a final pay application by the Mississippi Department of Transportation (MDOT)), to \$128,420.34 in full and final settlement of all monies owed to it arising out of its contract with the City on the Dedeaux Road Widening Project, with the understanding that this increase is based on the final pay application recently issued on this LPA project and approved by MDOT in this amount of \$128,420.34 following final execution and approval of Supplemental Agreement No. 2 on this project by MDOT, and with the understanding that the payment of these monies is in full and final resolution and settlement of any and all claims this company may have against the City or its employees or officials in any way relating to or arising out of this project or the contract for this project in exchange of its execution of a full and final release and indemnity agreement effectuating this full and final resolution and the execution and delivery of all documents necessary to fully close out this contract; authorizing the Mayor or his designee to execute, deliver, and file any and all documents necessary to consummate this resolution or related thereto, including, but not limited to, the final pay application; and for issuance of a special check from the Public Works budget (account nos. 346-640100-00106 and 357-640100-00106) in the amount of \$128,420.34 and made payable to "Moran Hauling, Inc." in accordance with the Resolution adopted by the City's Governing Authority on October 6, 2020, Moved By Ron Roland, **Seconded by Kenneth Casey**

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Cara Pucheu

Nay: R.Lee Flowers

Absent: 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 Mayor Joel Travis Miles, Ms. Martita Pierce, Mr. Robert L. "Bob" Mangum, Sr., and Mr. Johnny Hatten, until January 5, 2021 at 1:30 P.M. for a Regular Council Meeting, Moved By R.Lee Flowers, 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

City Clerk

Mayor

Agenda Adjustments

- 15 – A** Resolution - approving Mississippi Department of Environmental Quality Release of Claims concerning Aquarium Project, and for related purposes.
- 15 – B** Resolution - authorizing the entry into a Non-Revolving Line of Credit at The First, a National Banking Association, and authorizing use of funds drawn from said Non-Revolving Line of Credit for certain costs and expenses associated with Hurricane Zeta Debris Removal, pursuant to Miss Code Ann. § 33-15-17(b), and for related purposes.
- 15 – C** Budget Amendment #20 - funding Debris Removal/Monitoring Contracts - Hurricane Zeta.
- 15 – D** Budget Amendment #21 - transferring funds within the Council budget.
- 23 – A** Request - issuance of a special check payable to Tetra Tech Inc. for Debris Removal Monitoring Services related to Hurricane Zeta Damage.