



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, September 8, 2015

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 special meeting held on September 1, 2015 at 5:30 P.M. **Present:** Mayor Billy Hewes, General Counsel Hugh Keating, Council members: Kenneth Casey, Ricky Dombrowski (out at 3:31 p.m.), Ella Holmes-Hines (in at 1:36 p.m.), Rusty Walker, Myles Sharp (out at 3:41 p.m.), R.Lee Flowers, Cara Pucheu

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



Agenda Order

Confirmation or adjustment of the agenda order

A motion was made by Councilmember Myles Sharp, duly seconded by Councilmember R.Lee Flowers to accept the agenda, with the deletion of Policy Item #22.

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ella Holmes-Hines

Presentation Agenda



• Mayor's Report

Mayor Hewes announced the following upcoming events in the City of Gulfport:

- The Anchor Fest was slated for Saturday and Sunday, September 26 & 27 with great music (Irma Thomas, Amanda Shaw, and the Brass-A-Holics), historic wooden boats, and a pirate contest for the kids, a petting zoo, and lots of local & regional artists.
- The USS Jackson Commissioning is scheduled for Saturday, December 5 at 10 am in the Port of Gulfport. The public is invited to attend and can request tickets by going to the website: www.ussjacksoncommissioning.com Named in honor of our state's capital city, U.S. Secretary of the Navy Ray Mabus will be on hand to commission the USS Jackson, along with dignitaries from

the Navy, U.S. Government and Mississippi. University of Southern Mississippi professor Katherine Cochran is the ship's sponsor.

- Emily Pickering from the Gulfport Chamber of Commerce invited everyone to Peelin' and Politicking event to be held October 1, 2015 from 5:00 p.m. to 8:00 p.m. at Climb CDC. Emily encouraged all elected officials and candidates who serve City of Gulfport and Harrison County to attend.

This concluded the Mayor's Report.

Policy Issues

Minutes



1

Approval of minutes - for August 18 and September 1, 2015.

Motion to dispense with the reading of the Minutes and 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, Cara Pucheu, Myles Sharp, Rusty Walker

Absent: Ella Holmes-Hines

Ordinances



2

Ordinance - amending Section 4-175 (a) of the Code of Ordinances of the City of Gulfport, Mississippi related to increase of garbage fees.

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

Vote: Motion Carried By the Following Roll Call Vote

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

Nay: Kenneth Casey

Ordinance #2832



3

Ordinance - amending Sections 11-64(a) and 11-66(a) of the Code of Ordinances of the City of Gulfport, Mississippi relating to an increase in water and sewer fees.

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

The following citizens addressed the Council:

- Mr. Lenn Wyche, resident of 3525 Nunnally Street.
- Ms. Dorothy McClendon, resident of 1319 19th Street.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Note: The following motion was taken at the end of the meeting:

Motion to take the Ordinance off the Table, Moved By R.Lee Flowers, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

The President called for a vote on the original motion to approve with the following results:

Vote: Motion Carried By the Following Roll Call Vote

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

Nay: Ella Holmes-Hines

Ordinance #2834



4

Ordinance - fixing the levy for municipal taxes for 2015-2016 and the Gulfport Municipal Separate School District for 2015-2016.

Motion to Adopt, Moved By Myles Sharp, **Seconded By** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

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

Ordinance #2833

Code Enforcement / Planning



5

Code Enforcement Hearing - on resolution of declare that certain properties are in such a state of uncleanness 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, Myles Sharp, Rusty Walker

Motion to Close the Hearing and Approve, Moved By Cara Pucheu, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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



6

Certificate of Resubdivision - of three parcels into two, tax parcels 0909F-01-001.007 (as per survey 10.11 and 12.82 acres), 0909F-01-010.000 (as per survey 35.10 acres), and 0909F-01-001.002 (as per survey 59.24 acres) into Parcels "A" containing 69.18 acres (as per survey) and "B" containing 48.11 acres, located south of and adjacent to Seaway Road, north of and adjacent to Bernard Bayou, east of Logan Cline Road, and west of Goldin Lane - Case # 1508PC049 - Ward 5.

Motion to Approve, Moved By Myles Sharp, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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



7

Final Plat Approval - of a 24' right-of-way improvements of Meridian Avenue, located south of unimproved 2nd Street, north of and adjacent to Dedeaux Road, east of Old Highway 49 and west of Highway 49 - Case #1508PC055 - Ward 7.

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, Myles Sharp, Rusty Walker

Resolutions



8

Resolution - authorizing the issuance of Hospital Revenue Refunding Bonds, Series 2015A (Memorial Hospital at Gulfport Project) of the City of Gulfport, Mississippi in an aggregate principal amount not to exceed Eleven Million Two Hundred Fifty Thousand Dollars (\$11,250,00) for the principal purpose of providing funds to refund the City's outstanding Hospital Revenue Refunding and Improvements Bonds, Series 1994A; the approval of the forms of, and authorization of the execution and delivery of the Series 2015A Bond Indenture, and the Supplemental Master Trust Indenture No. 4.

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, Myles Sharp, Rusty Walker



9

Resolution - approving Certificate of Partial Substantial Completion on Ken Combs Pier and Jetty Project.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Note: Administration to bring forward proposal for repair of old boards and assessment for maintenance.



10

Resolution - by the Gulfport City Council approving the budget of Memorial Hospital at Gulfport for its 2016 fiscal year.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



11

Resolution - approving various Fiscal Year 2015 Sub-recipient Public Service Agreements for the Community Development Block Grant Program.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



12

Resolution - approving a Memorandum of Agreement with Southern Mississippi Planning and Development District for the purpose of providing grant research and writing services for the City of Gulfport and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Ella Holmes-Hines, **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, Ricky Dombrowski, R.Lee Flowers, Ella Holmes-Hines, Cara Pucheu, Myles Sharp, Rusty Walker



13

Resolution - approving Letter Agreement No. 1 to the contract with A. Garner Russell & Associates, Inc., pertaining to the 28th Street Improvements Project 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, Myles Sharp, Rusty Walker



14

Resolution - approving Supplemental Agreement #2 for Construction Engineering Brown, Mitchell & Alexander, Inc., for design services related to the widening of Three Rivers and Creosote - Phase 2 Project and to authorize the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



15

Resolution - by the Gulfport City Council to Rescind Offer and/or cancel the Lease Purchase Agreement with CSI/Regions Leasing and to authorize the Mayor to execute the same.

Motion to Approve, Moved By Myles Sharp, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Note: Legal to correct scrivener's (mathematical) error in Resolution.



16

Resolution - establishing written criteria upon which Contracts or Agreements shall not be awarded due to Contractor's or Vendor's record or Contractor Bids or Vendor's Proposals being non-responsive and adverse to the public interest.

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

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



17

Resolution - declaring certain and various vehicles, machinery, equipment, furnishings, and other items of municipal personal property to be surplus property which is no longer used or needed by the municipality and declared to have no value to the municipality and authorizing sale of said items of municipal personal property.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



18

Resolution - approving Change Order #2 (summary) to the contract with Apple Construction for

the James Hill Park Pier Renovations Project.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



19

Resolution - approving Amendment to Engineering Services Contract for Repairs to Piers and Jetties Project.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



20

Resolution - approving Certificate of Substantial Completion on the James Hill Park Pier Renovations Project.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



21

Resolution - to approve, Nunc Pro Tunc, Professional Legal Service Agreement with John C. Dawson, Jr. Esq., to serve as a part-time Prosecutor in the Gulfport Municipal Court and authorize the Mayor to execute the same.

Motion to Approve, Moved By Ricky Dombrowski, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

22

Resolution - supporting dedication of \$3.5 Million from funds received by the City in settlement of certain and various claims for damages resulting from the Deepwater Horizon Explosion of April 20, 2010 to the design and construction of an elevated structure to be located at or near Jones Park and the Gulfport Small Craft Harbor, and for related purposes.

DELETED



23

Resolution - adopting the budget for fiscal year 2015-2016.

Motion to Suspend the Rules, Moved By Cara Pucheu, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Note: Special Meeting was set to adopt the budget on September 15, 2015 at 5:30 pm.



24

Request - to approve the 2015 Pedestrian Sidewalk Master Plan for the City of Gulfport.

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, Myles Sharp, Rusty Walker

Budget Amendments / Docket of Claims



25

Budget Amendment #93 - to budget federal shared revenue received.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



26

Docket of Claims - to be approved through September 9, 2015.

Motion to Approve the Docket of Claims in the amount of \$ 2,998,173.48, Moved By R.Lee Flowers, **Seconded By** Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

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



Routine Agenda

Motion to Approve the Routine Agenda as presented, Moved By R.Lee Flowers, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

27

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

Approved on Routine Agenda

28

Public Records Requests- for the month of August 2015- to be made part of the minutes.

Approved on Routine Agenda

29

Letter - regarding bid awarded by Purchasing for Threading Machine Model 1224 - Public Works Department - to be made a part of the minutes.

Approved on Routine Agenda

30

Letter of recommendation - regarding the City of Gulfport's right to exercise to request an extension of various Term Contracts.

Approved on Routine Agenda

31

Letter of recommendation - regarding bids received by Purchasing for box culverts - Public Works Department - to be made a part of the minutes.

Approved on Routine Agenda

32

Letter of recommendation - regarding bids received by Purchasing for HP Server and Maintenance - Gulfport Police Department - to be made a part of the minutes.

Approved on Routine Agenda

- 33 Letter of Recommendation - regarding bids received for Public Sale of Surplus Property - Fire Department - to be made a part of the minutes.
Approved on Routine Agenda
- 34 Letter of recommendation - regarding bids received by Purchasing for a Scan Tool - Fire Department - to be made a part of the minutes
Approved on Routine Agenda
- 35 Letter of recommendation -- regarding bids received by Purchasing for Fritz Creek Pump Repairs to 169 HP Hidrostral Pump -- Public Works Department -- to be made a part of the minutes.
Approved on Routine Agenda
- 36 Request - permission to advertise for Fiscal Year 2016 CDBG and HOME Programs open application period for public service agencies programs and proposed projects and 30-day public draft notice and public hearing.
Approved on Routine Agenda
- 37 Request - permission to advertise within 30 days for the Courthouse Road Boat Launch Dredging Project.
Approved on Routine Agenda
- 38 Legal Notice - advertisement for bids for Term Contracts Group B - Sod, Group C3 - Hot Bituminous Pavement, Group J1 Water & Sewer Line Supplies, and Group P - Street Marking Signs.
Approved on Routine Agenda
- 39 Legal Notice - advertisement for bids for the construction of the Gulfport Streetscape Alley Project.
Approved on Routine Agenda



Public Agenda

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

The following citizens addressed the Council:

- **Ms. Mary Spinks Thigpen, resident of 199 Holly Circle.**
- **Ms. Leiisa Leisy, representing taxi cab industry.**
- **Mr. Richard Kim Marsh, resident of 8138 34th Avenue.**

This concluded the Public Agenda.



Council Comments

Memorial Adjournment

- **Mr. Robert Young, Sr.**
- **Mr. Joe Louis Nelson**
- **Ms. Julie B. Smith Ball**

Note: Councilmember Dombrowski left the meeting at this time (3:31 p.m.)



Executive Session – request for closed session to determine the need for executive session

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski

The Council entered closed session at 3:31 P.M. In attendance: Members of the Council: Casey, Holmes-Hines, Walker, Sharp (out at 3:41 p.m.), Flowers, Pucheu; Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, 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 Sharp, duly seconded by Councilmember Pucheu to come out of closed session and enter executive session at 3:32 P.M.

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski and Myles Sharp

A motion was made by Councilmember Flowers, duly seconded by Councilmember Casey to exit Executive session at 3:44 P.M.

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski and 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, a motion was made by Councilmember Flowers, duly seconded by Councilmember Pucheu to adjourn in memory of Mr. Robert Young, Sr., Mr. Joe Louis Nelson and Ms. Julie B. Smith Ball until September 15, 2015 at 5:30 P.M. for a special called council meeting.

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Myles Sharp

City Clerk

Mayor
