



City of Gulfport, Mississippi

Agenda City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, May 5, 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 Regular Meeting on April 21, 2020 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 (teleconference), Rusty Walker, Myles Sharp, R.Lee Flowers (teleconference), and Cara Pucheu.

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

Agenda Order

Motion to Accept Agenda, with the following adjustments; add Item 23 – A – Ratification – of Mayor’s Executive Order No. 6 (May 1, 2020) – to be made a part of the minutes., delete items 6 and 14, amend item 17 to remove parcel 1., Moved By Myles Sharp, Seconded by Rusty Walker

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 Certificate of Resubdivision (Short Form) - divide into four parcels zoned R-1-15 (Single-family) - located at 16286 Robinson Road - Case # 2005PC054 - Ward 7.

Motion to Approve Certificate of Resubdivision, Moved By Myles Sharp, **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

Attachment(s):

[Certificate of Resubdivision – Case #2005PC054 - Signed](#)

- 2 Acceptance - of Performance Bond Completion for Gulfport Promenade Subdivision and release of Surety Bond - Case # 1910PC116 - Ward 6.

Motion to Approve, Moved By Myles Sharp, **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

Attachment(s):

[116 Cover Surety Release](#)

[Engineering Letter](#)

[116 Surety Bond](#)

Ordinances

- 3 Ordinance - amending Erosion, Sediment, and Post Construction Stormwater Control Ordinance (Ordinance No. 2419).

Motion to Adopt Ordinance, Moved By Myles Sharp, **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

Attachment(s):

[Ordinance 3031 - Signed](#)

Resolutions

- 4 Resolution - approving Agreement with Transunion for Investigative Technology for the Gulfport Police Department, and for related purposes.

Motion to Approve, Moved By Myles Sharp, **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

Attachment(s):

[Transunion Agreement - Signed](#)

- 5 Resolution - approving Form of Covenants for Permanent Maintenance of Storm Water Systems, and for related purposes.

Motion to Approve, Moved By Myles Sharp, **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

Attachment(s):

[City of Gulfport Covenants for Permanent Maintenance of Stormwater Systems](#)

- 6 Resolution - approving Supplemental Agreement No. 1 to Agreement with Mississippi Engineering Group for the Dedeaux Road Improvements Project Phase I Project, and for related purposes.

- Deleted -

- 7 Resolution - approving Seventh Amendment to License Agreement between Utility Service Communications Co., Inc. (Licensor), and New Cingular Wireless PCS, LLC (Licensee), allowing for relocation of equipment from one tank to another (49 51st Street to 57 51st Street) and addition of certain and various pieces of equipment on Gulfport's Water Tank located on 51st Street, and for related purposes.

Motion to Approve, Moved By Myles Sharp, **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

Attachment(s):

[Resolution – Seventh Amendment – 51st Street – Cingular Wireless - Signed](#)

- 8 Resolution - accepting donation from Lowes of Gulfport, and for related purposes.

Motion to Approve, Moved By Myles Sharp, **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

Attachment(s):

[Resolution – Lowes Donation Acceptance - Signed](#)

- 9 Resolution - reconfirming and extending the status of a State of Emergency due to the spread of COVID-19 and potentials associated impacts which threaten to affect areas within the City, and for related purposes.

Motion to Approve, Moved By Myles Sharp, **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

Attachment(s):

[Resolution – COVID-19 SOE Extension #3 - Signed](#)

- 10 Resolution - requesting that the United States Congress directly allocate Covid-19 Relief Funds to Local Governments on the front lines of the fight against the Covid-19 pandemic and efforts to protect and safeguard the health and safety of local citizens in Mississippi, including the City of Gulfport, Mississippi.

Motion to Approve, Moved By Myles Sharp, **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

Attachment(s):

[Resolution – memorializing US Congress for Direct Aid - Signed](#)

Budget Amendments / Docket of Claims

- 11** Budget Amendment #56 - to increase County/Local Vehicles from drug restitution.

Motion to Approve Budget Amendment #56, Moved By Myles Sharp, 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

Attachment(s):

[April 22nd \(signed\)](#)

[Budget Amendments – FYE 2020 – 56-1](#)

- 12** Budget Amendment #57 - to internally transfer funds to maintain Year-To-Date Percentages.

Motion to Approve Budget Amendment #57, Moved By Myles Sharp, 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

Attachment(s):

[BAPW - INTERNAL TRANSFER FOR YEAR TO DATE BUDGET CORRECTIONS - 4-15-2020](#)

[Budget Amendments - FYE 2020 - 57-1](#)

- 13** Budget Amendment #58 - to transfer for Leisure Services to reimburse Traffic Division for costs related to the Striping of the Parking Lot at Ken Combs Pier.

Motion to Approve Budget Amendment #58, Moved By Myles Sharp, 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

Attachment(s):

[BAPW - TRANSFER TO REIMBURSE TRAFFIC DIVISION FOR KEN COMBS PIER PARKING LOT STRIPING - 4-24-2020](#)

[Budget Amendments - FYE 2020 - 58](#)

- 14 Budget Amendment #59 - to transfer to fund Supplemental Agreement No. 1 to MS Engineering Group for services rendered on the Dedeaux Road Widening Project (00106).

- Deleted -

- 15 Budget Amendment #60 - to transfer to fund Amendment No. 5 to Engineering Contract with Brown, Mitchell & Alexander, Inc. for the Downtown Streetscape Phase II Project.

Motion to Approve Budget Amendment #60, Moved By Myles Sharp, 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

Attachment(s):

[BAPW – TRANSFER TO FUND AMENDMENT 5 FOR BMA ON DOWNTOWN STREETSCAPE PROJECT 05803 – 4-24-2020](#)
[Budget Amendments – FYE 2020 - 60](#)

- 16 Docket of Claims - to be approved through May 6, 2020.

Motion to Approve Docket of Claims, in the amount of \$2,499,724.01, Moved By Myles Sharp, 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

Attachment(s):

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

Routine Agenda

Motion to Approve Routine Agenda, as presented, Moved By Myles Sharp, 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

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

Attachment(s):

[Resolution – awarding bids - Signed](#)

- 18 Year-To-Date Budget Report - for the month of March, 2020 - to be made a part of the minutes.

Attachment(s):

[March 2020 Financials](#)

- 19 Letter - regarding bid awarded by Purchasing to Irby for Traffic Signal Poles - Public Works - to be made a part of the minutes.

Attachment(s):

[Memo – Traffic Signal Poles](#)

[Traffic Signal Bids](#)

- 20 Letter - regarding bid awarded by Purchasing to JH Wright for 44th Avenue Water Well - Public Works - to be made a part of the minutes.

Attachment(s):

[Memo – 44th Ave Water Well](#)

[44th Avenue Water Well Bids](#)

- 21 Letter - regarding bid awarded by Purchasing to PB Loader Corporation for Auger Repairs - Public Works - to be made a part of the minutes.

Attachment(s):

[Memo – Auger Repairs](#)

[Auger Repair Bids](#)

- 22 Ratification - of Letter from Mississippi Department of Corrections cancelling Lease Agreement - to be made a part of the minutes.

Attachment(s):

[Letter from DOC canceling lease](#)

- 23 Ratification - of Mayor's Executive Order No. 5 (April 24, 2020) - to be made a part of the minutes.

Attachment(s):

[Mayor – Executive Order No. 5](#)

- 23 – A** Ratification – of Mayor’s Executive Order No. 6 (May 1, 2020) – to be made a part of the minutes.

Attachment(s):

[Mayor's Executive Order No. 6 - Signed 5/1/2020](#)

- 24** Ratification - of Release and Vacation of Easement and Drainage Easement - Stanfield Property - to be made a part of the minutes.

Attachment(s):

[Drainage Easement – Stanfield Recorded](#)

[Perpetual Easement Vacation and Release – Stanfield Recorded](#)

- 25** Ratification - of updated Stormwater Phase II Program Permit Re-Coverage Plan for the City of Gulfport - to be made a part of the minutes.

Attachment(s):

[Stormwater Phase II Program Permit Re-Coverage 042420](#)

[City of Gulfport – Stormwater Phase II – 2020 MS4 Recoverage Plan – Revised 4 24 2020](#)

Public Agenda

Council Comments

Memorial Adjournment

- Mr. Alexander Ignacio
- Mr. John Williams
- J. Daniel Schroeder

Executive Session

Executive Session was taken first.

Upon the advice of General Counsel, Motion to Enter Closed Session to make a preliminary determination of the necessity for Executive Session at 1:39 P.M., 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

The Council entered Closed Session at 1:40 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines (teleconference), Rusty Walker, Myles Sharp, R.Lee Flowers (teleconference), Cara Pucheu, Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, Director of Urban Development Greg Pietrangelo, Director of Public Works Wayne Miller, Police Chief Leonard Papania, City Engineer Kris Riemann, City Attorney Jeff Bruni, and Clerk of Council Brittany Rodgers.

Motion to Exit Closed Session at 1:41 P.M., 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

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 1:42 P.M. for (1) strategy discussion involving potential litigation associated with the claim of Moran Hauling, Inc. and (2) strategy discussion involving potential litigation concerning item 5 (Form of Covenants for Permanent Maintenance of Storm Water Systems), 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 1:43 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines (teleconference), Rusty Walker, Myles Sharp, R.Lee Flowers (teleconference), Cara Pucheu, Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, Director of Urban Development Greg Pietrangelo, Director of Public Works Wayne Miller, Police Chief Leonard Papania, City Engineer Kris Riemann, City Attorney Jeff Bruni, and Clerk of Council Brittany Rodgers.

Motion to Exit Executive Session at 2:08 P.M., Moved By Myles Sharp, 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

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. Alexander Ignacio, Mr. John Williams and Mr. J. Daniel Schroeder, until May 19, 2020 at 1:30 P.M. for a Regular Council Meeting, 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

Clerk

Mayor