



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, August 4, 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 regular council meeting held on January 6, 2015 at 1:30 P.M. **Present:** Mayor Billy Hewes, General Counsel Hugh Keating, Council members: Kenneth Casey, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers **Absent:** Ricky Dombrowski, 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 Sharp, duly seconded by Councilmember Flowers to accept the agenda with the following changes: Deletion of Policy Issue #7 and Policy Issue # 9, Addition of Policy Issue #9A. The motion carried the following vote:

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 the Mayors Report.

Presentation Agenda



• Mayor's Report

Mayor Billy Hewes reminded everyone that school will resume from summer break; he asked that all citizens be aware of the buses and drive safely.

The Mayor encouraged everyone to exercise their right to vote. Today is Election Day.

Mayor Hewes reported that we have a new commander at the Seabee base as of last week. Captain Cheryl Hansen will now lead the base as she replaces Captain Paul Odenthal.

The Mayor encouraged the citizens to make a visit to the new Climb CDC Family Enrichment Center.

Mayor Hewes reported that the 3rd Annual Health and Wellness fair was a success.

The Mayor announced the Senior Summer Barbeque to be held August 13 @ 9:30am in Jones Park.

Mayor Hewes reported that the James Hill Park Piers are now open.

Mayor Hewes expressed his appreciation to the National Coast Guard for patrolling our shores and providing security. Today is National Coast Guard Day.

This concluded the Mayor's Report.

Policy Issues

Minutes / Appointment



- 1 Approval of minutes - for July 21, 2015.

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



- 2 Resolution - ratifying the appointment of Kourtney Wells as Deputy City Clerk.

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

Planning / Code Enforcement



- 3 Objection (Appeal) - to the Planning Commission recommendation to deny a rezoning request from B-1 to I-1 located north of and adjacent to 28th Street, south of 29th Street, east of 46th Avenue, and west of and adjacent to 44th Avenue - Case #1506PC038 - Ward 1.

- Mr. Jessie Cuevas, applicant of 4416 28th Street addressed the Council.

Motion to Uphold the Planning Commission Recommendation (Appeal Denied), Moved By Kenneth Casey, **Seconded By** Rusty Walker
Vote: Motion Carried By Unanimous Roll Call Vote
Aye: Kenneth Casey, R.Lee Flowers, Ella Holmes-Hines, Myles Sharp, Rusty Walker
Absent: Ricky Dombrowski, Cara Pucheu



- 4 Ordinance - amendment to the official text of the Comprehensive Sign Ordinance to amend Section 9-106, exempt signs (c) Governmental Signs - Case # 1507PC047.

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

Note: Councilmembers Flowers and Sharp raised the concern about giving the Redevelopment Commission (GRC) the same authority as the City relating to sign authority. With the GRC being a quasi governmental entity, it would not allow a citizen or individual any recourse. They did not want to give the appearance of giving the GRC any unfair advantage; thus allowing for a possible suit. General Counsel stated that Legal would indeed look into those concerns and refine it.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Cara Pucheu



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 Ella Holmes-Hines, **Seconded By** Kenneth Casey

- Lettie D. Evans Caldwell, representative of 9439 Creosote Rd.

Motion to Close the hearing and approve the Resolution, Moved By R.Lee Flowers, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Cara Pucheu

Ordinances



6

Ordinance - amending Chapter One, Article Six, Sections 6-372 and 6-376 of the City of Gulfport Code of Ordinances, and adding Section 6-380 to amend the written procedures for the designation and implementation of restricted parking and for related purposes – first reading (tabled) at the July 21st meeting.

Motion to take off the table, Moved By Kenneth Casey, **Seconded By** Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Cara Pucheu

Motion to approve by amending Section 4 to include “Any designation of fifteen minute parking must be approved by the Governing Authority, Moved By Myles Sharp, **Seconded By** R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Cara Pucheu



7

Ordinance - regulating the use of public property for commercial television and motion picture filming and production within the City of Gulfport and to establish procedures to streamline the permitting process – first reading (tabled) at the July 21st meeting.

DELETED

Resolutions



8

Resolution - approving Construction Engineering & Inspection Services Contract Agreement with Neel Schaffer, Inc., for services related to Pass Road Traffic Signal Improvements Project and authorizing 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, R.Lee Flowers, Ella Holmes-Hines, Myles Sharp, Rusty Walker

Absent: Ricky Dombrowski, Cara Pucheu

- 9 Resolution - authorizing lease of property no longer needed for municipal or related purposes to Gulf Islands Water Park, LLC as part of a development to foster and improve the social, economic and industrial welfare of the City and approving further amendment to the Land Lease with Gulf Islands Water Park, LLC, and authorizing the Mayor to execute the same.

DELETED



9-A

Resolution - declaring turnout gear to be surplus personal property of the City of Gulfport which is no longer used or needed by the municipality and declared to have a fair market value of \$1,000.00 and authorizing the private sale of said property.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Cara Pucheu

Budget Amendments / Docket of Claims

- 10 Budget Amendment #79 - to transfer funds Water Meter Budget to Water & Sewer contractual fees.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Cara Pucheu

- 11 Budget Amendment #80 - to budget county local shared revenue received from drug forfeited funds.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Cara Pucheu

- 12 Budget Amendment #81 - to budget revenue received from Coastal Narcotics Enforcement Team.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Cara Pucheu

- 13 Budget Amendment #82 - to budget federal shared revenue received from drug forfeited funds.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Cara Pucheu

- 14 Budget Amendment #83 - to transfer funds from personal services to capital outlay for the purchase of spike strips and fingerprinting machine.

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

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

- 15 Budget Amendment #84 - transfer funds within Engineering Department in order purchase surveying equipment.

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

- 16 Budget Amendment #85 - to transfer funds within Capital Project for the Poole Street Drainage Project.

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

- 17 Budget Amendment #86 - to transfer funds from Waterline Supplies to Capital Machinery in order to purchase a new Threader.

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

- 18 Budget Amendment #87 - to set up additional budget for the 28th Street Park Improvement project from the 2014 Bond funds.

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



- 19 Docket of Claims- to be approved through August 5, 2015.

Motion to Approve as presented in the amount of \$2,108,342.05, Moved By R.Lee Flowers, **Seconded By** Kenneth Casey
Vote: Motion Carried By Unanimous Roll Call Vote
Aye: Kenneth Casey, R.Lee Flowers, Ella Holmes-Hines, Myles Sharp, Rusty Walker
Absent: Ricky Dombrowski, Cara Pucheu



Routine Agenda

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

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

Motion to Approve with the Amendment to Parcel #16 on the Advertisements (to proceed with the advertisement for the lot cleanup and remove the demo portion on parcel 0809I-01-015.004 – 9439 Creosote Road), Moved By Ella Holmes-Hines, Seconded By R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Cara Pucheu

- 21 Year to Date Budget Report - for month ending June 30, 2015.

Approved on Routine Agenda

- 22 Letter - regarding bid awarded by Purchasing for Computer Equipment - Municipal Court - to be made part of the minutes.

Approved on Routine Agenda

- 23 Letter - regarding bid awarded by Purchasing for Utility Billing Envelopes - Utility Billing Department - to be made a part of the minutes.

Approved on Routine Agenda

- 24 Letter - regarding bid awarded by Purchasing for s received by Purchasing for Christmas Electric 2015 - Leisure Services Department -- to be made a part of the minutes.

Approved on Routine Agenda

- 25 Letter - regarding bid awarded by Purchasing for computer tablets - Urban Development - to be made a part of the minutes.

Approved on Routine Agenda

- 26 Letter - regarding bid awarded by Purchasing for replacement of storefront glass at the Rayborn Building for the Department of Public Safety - to be made a part of the minutes.

Approved on Routine Agenda

- 27 Letter of recommendation - regarding bids received by Purchasing for Sternberg Light Fixtures - Public Works Department - to be made a part of the minutes.

Approved on Routine Agenda

- 28 Letter - regarding bid awarded by Purchasing for plumbing services for water and sewer at 1713 42nd Avenue - Community Development Department - to be made a part of the minutes.

Approved on Routine Agenda

- 29 Letter - regarding bid awarded by Purchasing for the rental of equipment due to sewer cave in at

37th Avenue - to be made a part of the minutes.

Approved on Routine Agenda

- 30 Legal Notice - advertisement for Request for Proposal for Auditing Firm for Fiscal Years 2015 & 2016.

Approved on Routine Agenda

- 31 Letter of recommendation - regarding bids received for 28th Street Basketball Courts - to be made a part of the minutes.

Approved on Routine Agenda

- 32 Request for permission to advertise for professional services (abstracting services) for Brickyard Bayou Drainage Improvements Project.

Approved on Routine Agenda

- 33 Request for permission to advertise for professional services (appraisal services) for Brickyard Bayou Drainage Improvements Project

Approved on Routine Agenda

- Add Item** Resolution - authorizing an Amendment to the Special Construction Agreement with Mississippi Power Company to include a detailed scope of work.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Cara Pucheu

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:



- **Mr. Austin Barnett, resident of 4805 Washington Avenue.**
- **Mr. Willie Spann, resident of 2103 34th Street**
- **Mr. Cedric McCaskill, resident of 428 Tandy Drive.**
- **Mr. Howard Page, representative of Steps Coalition.**
- **Ms. Dana Vautour, resident of 15259 Christy Cove.**
- **Ms. Adele Lyons, Director of Habitat for Humanity of the Gulf Coast.**

This concluded the Public Agenda.



Council Comments

Memorial Adjournment

- Mr. Oliver W. Swanier
- Mr. Hubert Allen Yeager, Jr.
- Mr. Timothy Casano
- Mr. Mark Strickland

Agenda Adjustments

Add Policy Item #9-A Resolution - declaring turnout gear to be surplus personal property of the City of Gulfport which is no longer used or needed by the municipality and declared to have a fair market value of \$1,000.00 and authorizing the private sale of said property.



Executive Session – Request for a 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 Sharp, 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, Ella Holmes-Hines, Rusty Walker , Myles Sharp, R.Lee Flowers

Absent: Ricky Dombrowski, Cara Pucheu

The Council entered closed session at 2:55 P.M. In attendance: Members of the Council: Casey, Holmes-Hines, Walker, Flowers; Mayor Billy Hewes, General Counsel Hugh Keating, 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 Sharp, duly seconded by Councilmember Casey to come out of closed session and enter executive session at 3:00 P.M.

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Cara Pucheu

Council President Rusty Walker recused himself and left the room at 3:15 P.M.

A motion was made by Councilmember Flowers, duly seconded by Councilmember Holmes-Hines to exit Executive session at 3:29 P.M.

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Cara Pucheu

Recused: Rusty Walker

No official action was taken during Executive Session.

Council President Rusty Walker joined the open meeting at 3:30 P.M.



Presentation – Steve Hooper with Water Company of America overview of fees and findings paid and collected by Harrison County Utility Authority for water and sewer

treatment and fees to the City of Gulfport.



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. Oliver W. Swanier, Mr. Hubert Allen Yeager, Jr., Mr. Timothy Casano, and Mr. Mark Strickland until August 18, 2015 at 1:30 P.M. for a regular council meeting.

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski, Cara Pucheu

City Clerk

Mayor
