City of Gulfport, Mississippi

Minutes

City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, February 2, 2016	**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 called council meeting held on January 26, 2016 at 5:00 P.M. Present: Mayor Billy Hewes, General Counsel Hugh Keating, Council members: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers and 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 Dombrowski, seconded by Councilmember Casey to accept the agenda with the following changes:
Delete Policy Item #5 at the request of Beauvoir, as their Board had not had a chance to meet to vote on the request.

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

Presentation Agenda

- **Mayor's Report**

The President called for the Mayor's Report.

Mayor Hewes announced that today was annual Government Day. The city welcomed 19 Boy Scouts from around our city for Government Day. Special thanks to Melvin Evans for always organizing this event and giving us a chance to show our scouts more about the city. The Mayor called upon Melvin Evans as he introduced each boy scout:

Troop 333 Brian Alston, Daulton Royals, Eli McIntyre, Jack McIntyre, Brandon Owen and Thomas Tansey

Troop 321 Cameron, Brylen Anderson, Connor Dupre, Aidan Dawson and Hunter Daniels

Troop 209 Jesse Morris, Michael Zarske, William Zarske, Sami Turunen, Austin Norris, Blake Bodie and Ricky Harris

Troop 712 Jack Clayton

The boy scouts were given a standing ovation and thanked for their participation and interest in their city government.

The Mayor called upon BM2 Paul Jacob from the Coast Guard Station at Gulfport

We always enjoy the opportunity to recognize our military that do so much for our community. Today, we are here to honor BM2 Paul Jacob from the Coast Guard Cutter in Gulfport. He was recognized last year by Captain Snowden by receiving the Enlisted Person of the Quarter from Sector Mobile for the time period of April-June 2015. Sector Mobile covers from Gulfport east to Panama City and includes over 500 enlisted active duty personnel who are eligible for this award. He was recently awarded "Enlisted Person of the Year" for Sector Mobile! His nomination will now move to the District which includes from Texas to Florida!

BM2 Jacob has made noteworthy contributions to his unit's mission and helped start the first Auxiliary University Program in the state of MS. This program involves the University of Southern MS and the Coast Guard Auxiliary and allows students to volunteer for the Coast Guard Auxiliary. The list of his accomplishments is exceptional. AND, he did all of this while maintaining a 4.0 at Bellevue University pursuing a BS in Management!

Congratulations to you, Paul! What a wonderful role model you are for our community and our country.

Mayor Hewes congratulated the Gulfport Police Department – they held a blood drive yesterday for an officer in need from Louisiana and they collected 34 units – which can save up to 100 lives.

The Mayor announced the upcoming events:

TODAY – 11 am – 7 pm – Pop Brothers on 25th Avenue – one of our local students, Donny Faerber, a 9th grader at GHS, is battling leukemia and he is battling it courageously. While Donny fights his own battles, his father is recovering from a very serious accident in December that has kept him in the hospital and in ICU for some time now. The fundraiser today will donate ½ of all the proceeds to help Donny with his medical expenses. We ask that you support this event and help us help Donny!

This Thursday, it's the Mardi Gras Mambo at the Lyman Community Center for all seniors! The fun starts at 10 am and lunch will be served!

Krewe of Gemini Parade – this coming Saturday at 2 pm at City Hall and again on Mardi Gras night starting at 5:30 pm – come join in on some great family fun!

AMTRAK will roll through our city on Thursday, February 18! Come join us at 11 am at the train depot in downtown Gulfport as we welcome this inaugural ride from New Orleans to Jacksonville!

This concluded the Mayor's Report.

Policy Issues

Minutes / Appointment

1 Approval of minutes - for January 19 & 26, 2016.

Motion to Approve the minutes of January 26, 2016, Moved By Myles Sharp, **Seconded By** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote:

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

***NOTE: Please see action taken at the conclusion of the meeting for approval of January 19, 2016 minutes.**

2 Request - ratification of appointment to the Gulfport School District Board of Trustees.

Motion to Approve the re-appointment of Mrs. Bridget Weatherly to the Gulfport School Board of Trustees, Moved By Ella Holmes-Hines, **Seconded By** R.Lee Flowers

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

Code Enforcement

3 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 Hearing, **Moved By** Myles Sharp, **Seconded By** Ricky Dombrowski

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

There being no one present to object or address the council, Motion to Close the Hearing and Approve, Moved By Kenneth Casey, **Seconded By** Rusty Walker

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

Resolutions

4 Resolution - approving Memorandum of Understanding with the State of Mississippi, Department of Finance and Administration pertaining to aquarium funding and authorizing the Mayor to execute the same.

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

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

5 Resolution - requesting the Governing Authority of the City of New Orleans, Louisiana to relocate all confederate memorial monuments removed from city grounds to Beauvoir, the last home of Jefferson Davis located in Biloxi, Mississippi and expressing gratitude for relocation of said monuments, and for related purposes.

DELETED

6

Resolution - by the Gulfport City Council formally requesting assistance of the Harrison County Board of Supervisors with respect to a beautification project located on Arkansas Avenue and Martin Luther King, Jr., Blvd in the City of Gulfport, Mississippi and seeking approval of said request by the Board.

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, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers and Cara Pucheu

7

Resolution - approving non-exclusive Professional Title Search/Abstract Services Agreement with Karen L. Boone and authorizing the Mayor to execute the same.

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, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers and Cara Pucheu

8

Resolution - approving Amendment #1 to the Memorandum of Lease Agreement between the City of Gulfport and the Mississippi Department of Public Safety and authorizing the Mayor to execute the same.

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, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers and Cara Pucheu

9

Resolution - authorizing full and final settlement to B&B Electrical & Utility Contractors, Inc., for the U.S. Highway 90 Street Lighting Project and authorizing the Mayor to execute the same.

Motion to Approve, **Moved By** Kenneth Casey, **Seconded By** Ricky Dombrowski

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

10

Resolution - by the Gulfport City Council finding that identifying marks on particular police vehicles would hinder official criminal investigation by the Police and authorizing those vehicles to be unmarked.

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

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

11 Resolution - by the Gulfport City Council authorizing acceptance of a Walmart Community grant for the Gulfport Fire Department.

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, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers and Cara Pucheu

12 Resolution - approving Agreement between City of Gulfport and Ship Island Excursion in connection with the Mississippi Gulf Coast Softball Classic scheduled February 25, 2016.

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

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

13 Request - for permission to apply for and authorization to accept if approved a tactical vehicle for the Police Department.

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

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

14 Resolution - approving Amendment to the Master Services Agreement with Brown, Mitchell & Alexander, Inc., for services relating to the Gulfport Sportsplex Expansion Project.

Motion to Approve with Amendment to Remove Line Item #3 (Paragraph C2.05. A.. Resident Project Representative Services, Additional Services Compensation), **Moved By** Cara Pucheu, **Seconded By** R.Lee Flowers

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

Budget Amendments / Docket of Claims

15 Budget Amendment #19 - to reallocate unspent FY2015-P501-01GP Tideland funds for James Hill Park to the FY2015-M201-2C Tidelands Trust Fund Grant for Courthouse Road Boat Launch Dredge.

Motion to Approve, **Moved By** R.Lee Flowers, **Seconded By** Rusty Walker

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

16 Budget Amendment #22 - to budget revenue received from a forfeiture as a result of a drug related arrest.

Motion to Approve, **Moved By** R.Lee Flowers, **Seconded By** Rusty Walker

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

17 Budget Amendment #23 - to budget revenue received from a forfeiture as a result of a drug related arrest.

Motion to Approve, **Moved By** R.Lee Flowers, **Seconded By** Rusty Walker

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

18 Docket of Claims - to be approved through February 3, 2016.

Motion to Approve the Docket of Claims, in the amount of $2,451,547.70, **Moved By** R.Lee Flowers, **Seconded By** Rusty Walker

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

Routine Agenda

Motion to Approve the Routine Agenda as Presented, **Moved By** Ella Holmes-Hines, **Seconded By** Cara Pucheu

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

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

Approved on the Routine Agenda

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

Approved on the Routine Agenda

21 Letter of recommendation - requesting bids received by Purchasing for (Labor and Materials) Lining Manhole's to Prevent Wall Failure - Public Works Department - to be made a part of the minutes.

Approved on the Routine Agenda

22 Letter of recommendation - requesting bids received by Purchasing for The Hazmat Project - Fire Department - to be made a part of the minutes.

Approved on the Routine Agenda

23 Letter of recommendation - regarding the Fuel Supply Bid (Fuel Supplier: Eagle Energy) to be renewed (FY2016) - The City of Gulfport - to be made a part of the minutes.

Approved on the Routine Agenda

24 Letter of recommendation - regarding bids received by Purchasing for 6 month rental of 6" Trash Pump - Public Works Department - to be made a part of the minutes.

Approved on the Routine Agenda

25 Letter of recommendation - regarding the Ground Maintenance Services (RCI & Gulf Breeze Landscaping, LLC) to be renewed (FY2016) - The City of Gulfport - to be made a part of the minutes.

Approved on the Routine Agenda

26 Letter of Recommendation - regarding RFP for Security Services for the Municipal Court Department - to be made a part of the minutes.

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.

The President called for public comments during the Public Agenda.

The following citizens addressed the Council:

- Mr. John Leonard, resident of 471 Live Oak Avenue.

Motion to Suspend The Rules, Moved By Ricky Dombrowski, **Seconded By** R.Lee Flowers

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

David D'Aquilla, Leisure Services Director gave an update and proposed timeline on proposed improvements to Silver Ridge Park.

- Mr. Jimmie Jenkins, resident of 5113 Old Pass Road.
- Dr. Brenda Matthews, resident of 1618 Rich Avenue.

This concluded the Public Agenda.

Resolution - approving Health Insurance Broker, subject to final negotiations and approval of contract, and for related purposes.

Motion to take Item off the Table, **Moved by** Myles Sharp, **Seconded by** R.Lee Flowers.

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

Motion to Approve Bancorp South as Health Insurance Broker for the City of Gulfport, subject to final negotiations and approval of contract, **Moved By** Myles Sharp, **Seconded By** R.Lee Flowers

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

Council Comments

Memorial Adjournment

- **Mr. Cordero Holmes**
- **Mr. James Graham**
- **Mr. Kevin Charlot**
- **Mr. Harry Roger Allen**
- **Master Ny'Gel De'Andre Ja'Shard Poole**

Executive Session

Upon advice of General Counsel, a motion was made by Councilmember Flowers, duly seconded by Councilmember Flowers 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 , Myles Sharp, R.Lee Flowers and Cara Pucheu

The Council entered closed session at 2:28 P.M. In attendance: Members of the Council: Casey, Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu; Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating and Clerk of Council Ronda Cole. The Council discussed the need to enter executive session to discuss litigation and update on Rooms To Go negotiations.

A motion was made by Councilmember Flowers, duly seconded by Councilmember Walker to come out of closed session and enter executive session at 2:30 P.M.

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

A motion was made by Councilmember Sharp, duly seconded by Councilmember Pucheu to exit Executive session at 2:37 P.M.

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

No official action was taken during Executive Session.

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After reconvening in an open meeting the following action was taken:

A motion was made by Councilmember Sharp, duly seconded by Councilmember Pucheu to authorize the City Attorney's Office to negotiate a full and final resolution of the lawsuit filed against the City and its employees by Georgia Karlson to include the payment of $25,000 to the City's insurer and/or Karlson, which is less than the City's self-insured retention, with such resolution to also include the full and final settlement and dismissal of all lawsuits and claims with prejudice and the execution of any necessary settlement documents and indemnity agreements to fully conclude this matter, and to authorize payment and/or issuance of this $25,000 amount to the City's insurer and/or Karlson as part of this Resolution.

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

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Motion to Approve the Minutes of January 19, 2016, **Moved By** Cara Pucheu, **Seconded By** Ella Holmes-Hines

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

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 Sharp to adjourn in memory of Mr. Cordero Holmes, Mr. James Graham, Mr. Kevin Charlot, Mr. Harry Roger Allen and Master Ny'Gel De'Andre Ja'Shard Poole until February 16, 2016 at 1:30 P.M. for a regular council meeting.

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

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City Clerk

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Mayor