



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, April 5, 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 regular council meeting held on March 22, 2016 at 1:30 P.M. Present: Mayor Billy Hewes, General Counsel Hugh Keating, Council members: Kenneth Casey (out at 5:19 p.m.), Ricky Dombrowski, Ella Holmes-Hines (in at 1:39 p.m. and out at 5:01 p.m.), Rusty Walker, Myles Sharp (out at 5:44 p.m.), R.Lee Flowers and Cara Pucheu (out at 4:53 p.m.).

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, seconded by Councilmember Casey to accept the agenda with the following adjustments; move Policy Item #7 to 1-A.

Vote: Motion Carried By Unanimous Vote:

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

Absent: Ella Holmes-Hines

Presentation Agenda



• Mayor's Report

The President called for the Mayor's Report.

Mayor Billy Hewes welcomed everyone to the City Council meeting and proclaimed that great things were happening on the Coast!

- The MS Gulf Coast Resort Classic had just finished this past weekend – what a picture perfect finish to this annual event.
- BBQ Under the Oaks – sponsored by the Gulf Coast Symphony – over 2,000 people – 28th Annual – Centennial Plaza with over 30 cooking teams.
- MS Aquarium Reveal – plans were unveiled for the MS Aquarium and the excitement was great as this development was sure to be a big draw to the coast!

Upcoming events in Gulfport:

- The Gulf Coast Boat and Yacht Show was scheduled to open this weekend in The Gulfport Harbor and would run Friday- Sunday this weekend and next! Open daily from 10 am – 7 pm and 10 am – 5 pm on Sundays! Weekend passes were available online and daily passes available on site. Over 700 boats and yachts for everyone to check out! The weather was for the weekend!
- Farmer's Market – open each Wednesday from 9 am – 1 pm at the Harbor Market Pavilion and Saturday mornings at the 27th Avenue Market.

- Chalk Fest – Saturday, April 23 – 11 am – 3 pm on 27th Avenue – food, music, vendors and free chalk! Come decorate our downtown! Sponsored by the Gulfport Mayor’s Youth Council and Gulfport Mainstreet Association.
- Cinema by the Shore – it’s back for another season! First event is April 22 in Jones Park which is also Earth Day! Lots of activities planned for those who attend! Free to the public! First movie: THE GOOD DINOSAUR – movie starts at 7:45 pm!

This concluded the Mayor’s Report.

Policy Issues

Minutes / Appointment



1

Approval of minutes - for March 22, 2016.

Motion to Approve the minutes of March 22, 2016, Moved By R.Lee Flowers, **Seconded By** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Vote:

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



1-A (7)

Resolution - declaring support for local and private legislation authorizing the Gulfport Redevelopment Commission to engage in long-term lease of certain properties owned, or to be acquired by the Gulfport Redevelopment Commission.

Motion to Suspend The Rules, Moved By R.Lee Flowers, **Seconded By** Myles Sharp

Vote: Motion Carried By Unanimous Vote:

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

Motion to Require Certain Amendments to the Bylaws of the Gulfport Redevelopment Commission, Moved By Ricky Dombrowski, **Seconded By** Ella Holmes-Hines to be as follows:

1. The GRC shall hold its regular monthly meeting on the second Tuesday of every month at a set time in the Chambers of the Gulfport City Council.
2. That each Selection Committee which reviews responses to Requests for Proposals (RFP) or Request for Qualifications (RFQ) issued by the GRC will be comprised of members of the GRC, two representatives of the City administration and two members of the City Council. The representations of the City administration and the City Council shall be determined respectively by the City administration and City Council on a case by case basis. The Selection Committee shall make recommendation to the GRC with the GRC making the final decision regarding selection of the applicable responder.
3. That the GRC will coordinate and work with the City of Gulfport’s Department of Finance regarding all financial statements and related financial matters.
4. That the GRC will be included in the annual audit of the City of Gulfport as its urban renewal agency.
5. That all procurements, RFPs and RFQs will be coordinated with and facilitated through the City of Gulfport’s procurement department.
6. That the GRC will provide monthly updates to the Gulfport City Council at the first meeting of the City Council each month as part of the Mayor’s report.

7. That any leases (ground or operating) with a term of more than five (5) years shall be presented to the City Council for approval prior to execution by the GRC.
8. That any contracts with a financial commitment or monetary obligation of greater than \$500,000 shall be presented to the City Council for approval prior to execution by the GRC

Vote: Motion Carried By Unanimous Vote:

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

Motion to Approve the Resolution declaring support for local and private legislation authorizing the Gulfport Redevelopment Commission to engage in long-term leases of certain properties owned, or to be acquired, by the Gulfport Redevelopment Commission, Moved By Ricky Dombrowski,
Seconded By Ella Holmes-Hines

Vote: Motion Carried By Unanimous Vote:

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

Ordinances



2

Ordinance - amending the Code of Ordinances relating to water and sewer rates.

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

Vote: Motion Carried By Unanimous Vote:

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

Ordinance #2851

Code Enforcement / Planning



3

Objection (Appeal) - regarding approval by the Planning Commission of a request to subdivide two parcels into two parcels, zoned R-2 (Single Family), located north of Bayou Bernard, south of W Taylor Road, and east of Carl Legett Road, and west of and adjacent to Lorraine Road - Case # 1602PC016 - Ward 4.

Note: Councilmembers Rusty Walker and Cara Pucheu recused themselves and removed themselves from the Council Chambers during the discussion and vote on the Certificate of Resubdivision (3:09 P.M). Council Vice-President Myles Sharp served as acting President during this item.

Motion to Open the Hearing, Moved By Kenneth Casey, **Seconded By** R.Lee Flowers

Vote: Motion Carried By Unanimous Vote:

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

Absent and Recused: Rusty Walker and Cara Pucheu

The following individuals addressed the Council:

- Attorney Virgil Gillespie, representing the property owner.
- Attorney Kosta Vlahos, representing one of the Appellant parties.
- Attorney Joe Sam Owen, representing of the Appellant parties.
- Attorney Robert Schwartz, representing one of the Appellant parties.

Attorney Hugh Keating presented a letter from Mr. Charlie Hewes, Planning Commissioner and asked that it be included into the record. Due to objection, a Motion was made by Ella Holmes-Hines, Seconded By Kenneth Casey to not allow the letter into the record.

Vote: Motion Carried By The Following Vote:

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines and Myles Sharp

Nay: R.Lee Flowers

Absent and Recused: Rusty Walker and Cara Pucheu

Motion to Approve the Certificate of Resubdivison, Moved By R.Lee Flowers, Seconded By Ella Holmes-Hines

Vote: Motion Carried By Unanimous Vote:

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

Absent and Recused: Rusty Walker and Cara Pucheu



4

Objection (Appeal) - regarding approval by the Planning Commission of a request to rezone property from R-2 (Single Family) to B-1 (Neighborhood Business), located north of Bayou Bernard, south of W Taylor Road, and east of Carl Leggett Road, and west of and adjacent to Lorraine Road - 1602PC017 - Ward 4.

Motion to Open the Hearing, Moved By R.Lee Flowers, Seconded By Ella Holmes-Hines

Vote: Motion Carried By Unanimous Vote:

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

Absent and Recused: Rusty Walker and Cara Pucheu

The following individuals addressed the Council:

- Attorney Virgil Gillespie, representing the property owner.
- Attorney Kosta Vlahos, representing one of the Appellant parties.
- Attorney Joe Sam Owen, representing of the Appellant parties.
- Attorney Robert Schwartz, representing one of the Appellant parties.
- Mr. Jacques Pucheu, developer for the property.

Motion to Approve the Zoning Map Amendment from R-2 to B-1, Moved By R.Lee Flowers, Seconded By Ricky Dombrowski and put to discussion:

Amendment to Approve with the condition of having a covenant that limits access only to MS Hwy 605 and prohibits access to and from Carl Leggett Road, Moved By Ella Holmes-Hines, Seconded By Ricky Dombrowski

Vote: Motion Carried By The Following Vote:

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines and Myles Sharp

Nay: R.Lee Flowers

Absent and Recused: Rusty Walker and Cara Pucheu

(Interim) President Sharp called for a vote on the motion to approve as amended with the following results:

Vote: Motion Carried By The Following Vote:

Aye: Kenneth Casey, Ricky Dombrowski and R.Lee Flowers

Nay: Ella Holmes-Hines and Myles Sharp

Absent and Recused: Rusty Walker and Cara Pucheu

Ordinance #2852

Note: Councilmember Cara Pucheu left the meeting at this time (4:53 P.M.)



5

Certificate of Resubdivision (Short Form) - requests to resubdivide two parcels into two parcels, zoned T4+(General Urban Zone "Plus"), located north of and adjacent to E Beach Blvd, south of and adjacent to 15th Street, east of 18th Avenue, and west of Pratt Avenue - Case # 1605PC047 - Ward 2.

Motion to Approve the Certificate of Resubdivision, Moved By Ella Holmes-Hines, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of the room) and Cara Pucheu



6

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of the room) and Cara Pucheu

There being no one present to object or address the council, Motion to Close the Hearing and Approve, Moved By Ella Holmes-Hines, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of the room) and Cara Pucheu

Resolutions / Request



7

Moved to 1-A

Resolution - declaring support for local and private legislation authorizing the Gulfport Redevelopment Commission to engage in long-term lease of certain properties owned, or to be acquired by the Gulfport Redevelopment Commission.



8

Resolution - establishing just compensation, to authorize negotiations to acquire right of ways, and to do any acts necessary and legal, including prosecution in special court of eminent domain, to obtain title for The City under Miss. Code Ann. Sec. 11-27-61, et seq, and, if necessary, to expedite the "Dedaux Road Widening Project" and to authorize special checks to acquire the property interests stated herein.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

9

Resolution - approving 2016 CDBG and HOME Entitlement Programs Annual Action Plans, budgets and budget amendments associated with the current and prior plans and authorize the Mayor to execute all necessary grant agreements.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 10** Resolution - approving award to Miller Enterprises, LLC, for the Poplar Circle & Chamberlain Avenue Sewer Improvements Project, approving contract and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 11** Resolution - approving collection agreement with American Municipal Services Corporation, and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 12** Resolution - approving agreement for depository services with Hancock Bank, and authorizing the Mayor to execute same.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 13** Resolution - approving agreement with Ncourt, LLC for credit card and other collection related services, and authorizing the Mayor to execute same.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 14** Resolution - approving agreement with Mississippi Delta Shows, LLC, and authorizing the Mayor to execute same.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 15** Resolution - approving contract with Artisan Pyrotechnics for the 4th of July, 2016 fireworks display.

Motion to Approve the Contract with Artisan Pyrotechnics, Moved By R.Lee Flowers, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 16 Resolution - approving Change Order #1 to the Agreement with SCI, Inc., for the Lyman Gravity Sewer Improvements Project and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 17 Resolution - approving second amendment to license agreement between Utility Service Communications Co. Inc. and Cellular South Real Estate, Inc., allowing additional equipment to 51st Street water tank.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 18 Resolution - extending to May 18, 2016, the effective date of that certain Resolution approving certain and various amendments to the 2013 Employee Handbook and making said handbook applicable to all city employees.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 19 Resolution - approving Modification #2 to Coffee Creek Drainage and Public Facilities, #R-109-202-08-KCR to convert to Full Development Grant and increase by \$997,000.00 to a total grant of \$1,150,000.00.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu



20

Request - from Gulfport Galleria of Fine Arts for street closure scheduled April 9, 2016.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

Budget Amendments / Docket of Claims



21

Budget Amendment #35 - to transfer funds for Wayfinding Project & Traffic Sign Printing Equipment.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 22 Budget Amendment #36 to transfer Funds into Lyman Gravity Sewer Improvements Account to fund Change Order Number 1.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 23 Budget Amendment #36 - to transfer funds for Poplar Chamberlain Sewer Project.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 24 Budget Amendment #37 - to transfer revenue received from the 2015 Gulfport Harbor Lights Event to the Harbor Fund.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 25 Budget Amendment #38 - to transfer funds for Fast Lane Grant.

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu



26

Docket of Claims- to be approved through April 6, 2016.

Motion to Approve the Docket of Claims, in the amount \$2,186,654.43, Moved By Kenneth Casey, **Seconded By** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu



Routine Agenda

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

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

- 27 Resolution - awarding bids for lot clean-ups and/or demolitions.
- Approved on the Routine Agenda.**
- 28 Letter - regarding RFP Cancellation and request to purchase Body Worn Cameras - Police Department - to be made a part of the minutes.
- Approved on the Routine Agenda.**
- 29 Letter of recommendation - regarding bids received by Purchasing for HP CTO Server - City of Gulfport Police Department - to be made a part of the minutes.
- Approved on the Routine Agenda.**
- 30 Letter of recommendation - regarding bids received by Purchasing for Aerate/Vertical Cutting - Leisure Services Department - to be made a part of the minutes.
- Approved on the Routine Agenda.**
- 31 Letter of Recommendation - regarding battery replacement for City wide server room - to be made a part of the minutes.
- Approved on the Routine Agenda.**
- 32 Request to advertise, within the next 30 days, RFP for consultant/agency to conduct the CDBG/HOME 5-Year Affirmatively Furthering Fair Housing (formerly Analysis of Impediments to Fair Housing) as per 2015-2016 guidelines established by the Department of Housing and Urban Development.
- 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.**

No citizens addressed the Council during the Public Agenda.

Council Comments



Memorial Adjournment

- Mr. Willie Lee Thornton, Sr.
- Mrs. Carol Ann Estorge
- Miss Emmalynn Harper Lee

- Ms. Miriam Christy
- Mr. Michael William Peters
- Ms. Jane Orr Heinrich



Executive Session

Upon advice of General Counsel, a motion was made by Councilmember Flowers, duly seconded by Councilmember Casey to close the meeting to determine the need for executive session at 5:01 P.M.

Vote: Motion Carried By Unanimous Vote:

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

Absent: Myles Sharp (out of room) and Cara Pucheu

Note: Councilmember Ella Holmes-Hines left the meeting at this time (5:01 P.M.)

A motion was made by Councilmember Flowers, duly seconded by Councilmember Casey to come out of closed session and enter executive session at 5:02 P.M.

Vote: Motion Carried By Unanimous Vote:

Aye: Kenneth Casey, Ricky Dombrowski, Rusty Walker and R.Lee Flowers

Absent: Ella Holmes-Hines, Myles Sharp (out of room) and Cara Pucheu

The Council entered executive session at 5:02 P.M. In attendance: Members of the Council: Casey, Dombrowski, Walker, Sharp (in at 5:05 P.M.), Flowers and Pucheu; Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, Engineering Director Kris Riemann (out at 5:12 P.M.), Clerk of Council Ronda Cole and Deputy Clerk of Council Cheryl Germany. The Council discussed the need to enter executive session to discuss four (4) litigation matters.

A motion was made by Councilmember Flowers, seconded by Councilmember Casey to exit executive session at 5:15 P.M.

Vote: Motion Carried By Unanimous Vote:

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

Absent: Ella Holmes-Hines and Cara Pucheu

Attorney Hugh Keating stated that no official action was taken during executive session.

A motion was made by Councilmember Sharp, seconded by Councilmember Flowers to authorize the Administration, by and through the Legal Department, to agree to and take all steps needed to demonstrate the City's agreement to the right of way vacation sought in Pylant, et al. v. City of Gulfport, Mississippi, et al., which is presently pending the Chancery Court of Harrison County, Mississippi, First Judicial District, Cause No. 16-258 (2), subject to the recommendation of City Engineer.

Vote: Motion Carried By Unanimous Vote:

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

Absent: Ella Holmes-Hines and Cara Pucheu

A motion was made by Councilmember Sharp, seconded by Councilmember Flowers to authorize the retention and engagement of Nelson Forensics, LLC with regard to the Orange Grove (Dedaux Road) Community Center, to authorize the execution of any and all documents as may be necessary to formalize that engagement, and to authorize the issuance of special checks in such amounts as may be necessary to pay any retainer or other charges in connection with their engagement on behalf of the City out of the \$40,000 previously approved as a budget amendment for purposes associated with this engagement and to amend specifically the Legal Department's budget to add this sum of \$40,000 to go toward payment of fees associated with expert assistance, work, or testimony on behalf of the City in connection with issues involving the Orange Grove (Dedaux Road) Community Center.

Vote: Motion Carried By Unanimous Vote:

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

Absent: Ella Holmes-Hines and Cara Pucheu

As previously authorized and reflected in the January 5, 2015 minutes of the City Council, a motion was made by Councilmember Sharp, seconded by Councilmember Casey to authorize, ratify and approve the issuance of such "special check(s)" as may be necessary to pay the American Arbitration Association for filing fees and all other costs and fees required by the associated with the services of the American Arbitration Association and its arbitrator in the total amounts not to exceed \$15,000.00 in connection with the mediation and/or arbitration of the litigation filed by the City of Gulfport v Genzer, et al, in the Circuit Court of Harrison County, Mississippi.

Vote: Motion Carried By Unanimous Vote:

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

Absent: Ella Holmes-Hines and Cara Pucheu

A motion was made by Councilmember Sharp, seconded by Councilmember Walker to authorize Gary White, attorney representing the City of Gulfport in the case styled "City of Gulfport v Dedaux Utilities, Inc.," to recommend engagement of services of such expert economist or financial advisor as he deems necessary and appropriate for an amount not to exceed the sum of \$10,000.00 to provide litigation support, opinion testimony and reports regarding the appropriate rate of interest that is applicable and should be applied to the judgement entered by the Special Court of eminent Domain in said proceeding and to authorize the Administration to execute any and all documents which may be necessary to effectuate the engagement of such expert and to authorize the City to issue such special check to cover the retainer and fees and expenses necessary to engage such expert.

Vote: Motion Carried By The Following Vote:

Aye: Ricky Dombrowski, Rusty Walker , Myles Sharp and R.Lee Flowers

Nay: Kenneth Casey

Absent: Ella Holmes-Hines and Cara Pucheu

Note: Councilmember Kenneth Casey left the meeting at this time (5:19 P.M.)

Upon advice of General Counsel, a motion was made by Councilmember Flowers, seconded by Councilmember Sharp to enter closed session to determine the need for executive session at 5:19 P.M.

Vote: Motion Carried by Unanimous Vote:

Aye: Ricky Dombrowski, Rusty Walker, Myles Sharp and R.Lee Flowers

Absent: Kenneth Casey, Ella Holmes-Hines and Cara Pucheu

A motion was made by Councilmember Flowers, seconded by Councilmember Sharp to exit closed session and enter executive session at 5:20 P.M.

Vote: Motion Carried by Unanimous Vote:

Aye: Ricky Dombrowski, Rusty Walker, Myles Sharp and R.Lee Flowers

Absent: Kenneth Casey, Ella Holmes-Hines and Cara Pucheu

The Council entered executive session at 5:20 P.M. In attendance: Members of the Council: Dombrowski, Walker, Sharp and Flowers; Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, GRC Counsel Steve Hendrix, Clerk of Council Ronda Cole and Deputy Clerk of Council Cheryl Germany. The Council discussed the need to enter executive session to discuss transaction of business; the possible sale and/or leasing of land.

Vote: Motion Carried by Unanimous Vote:

Aye: Ricky Dombrowski, Rusty Walker, Myles Sharp and R.Lee Flowers

Absent: Kenneth Casey, Ella Holmes-Hines and Cara Pucheu

A motion was made by Councilmember Flowers, seconded by Councilmember Dombrowski to come out of executive session at 5:44 P.M.

Vote: Motion Carried by Unanimous Vote:

Aye: Ricky Dombrowski, Rusty Walker, Myles Sharp and R.Lee Flowers

Absent: Kenneth Casey, Ella Holmes-Hines and Cara Pucheu

Note: Councilmember Myles Sharp left the meeting at this time (5:44 P.M.)

Setting of Next Meeting and Adjournment

There being no further business to come before the Council and due to a lack of a quorum, the President declared the end of the meeting at this time.

City Clerk

Mayor