



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, December 5, 2023

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 PM, on the above date, same being an adjourned meeting from a Regular Meeting on November 21, 2023 at 1:30 P.M.

Present: Mayor Billy Hewes (out at 5:09 P.M.), CAO Leonard Papania (out at 5:08 P.M.), General Counsel Hugh Keating, Clerk of Council Brittany Rodgers, Deputy Clerk of Council Brittany Thomas, **Councilmembers:** Kenneth Casey (out at 5:24 P.M.), Ron Roland, Ella Holmes-Hines (out at 6:05 P.M.), Rusty Walker, Myles Sharp, R.Lee Flowers (out at 4:00 P.M.), and Richard Kosloski.

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

Agenda Order Confirmation or adjustment of the agenda order

Motion to Accept Agenda with the following adjustments, Postpone item 13; at the Administration's request, - Delete item 11 and replace as item 24 – A (Routine Agenda) – Approval - of Public Works and Engineering Strategic Plan 2024 – 2027. - Delete item 30 and replace as item 12 -A - Resolution - authorizing contract negotiations with Michael Baker International, Inc., in connection with Engineering Services for the Courthouse Road Boat Launch and Jetty Improvements Project, and for related purposes. - Add item 11 – A - Resolution - seeking consideration of the Mississippi Department of Transportation (MDOT) to enter into a formalized Agreement permitting municipal use of properties owned by MDOT, and for related purposes. - Add item 13 – A - Resolution – approving Refund Policy associated with the Gulfport Harbor Lights Winter Festival, and for related purposes. - Add item 17 – A - Resolution - memorializing the support of the Harrison County Board of Supervisors with respect to certain road repairs on 28th Street and on Dedeaux Road, and for related purposes. - Add item 21 – A – Budget Amendment #20 - allocating monies for Fire Station No. 7 building repairs/remediation. (no publication needed) - Add item 21 – B - Budget Amendment #21 - establishing projects paid for with FY 2023 General Fund surplus. (publication needed), 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, Richard Kosloski

Presentation Agenda

- Mayor's Report

Policy Issues

Minutes / Appointment(s)

- 1 Approval of Minutes - for November 7, 2023.

Motion to Approve November 7, 2023 Minutes, Moved By R.Lee Flowers, **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, Richard Kosloski

Attachment(s):

[November 7, 2023 - Minutes](#)

- 2 Approval of Minutes - for November 8, 2023 SCM.

Motion to Approve November 8, 2023 Special Call Meeting Minutes, Moved By R.Lee Flowers, **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, Richard Kosloski

Attachment(s):

[November 8, 2023 SCM - Minutes](#)

- 3 Ratification - of appointment to the Zoning Board of Adjustments and Appeals.

Motion to Ratify the appointment of Nicholas Hahn to the Zoning Board of Adjustment and Appeals, Moved By Richard Kosloski, **Seconded by** R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

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

Attachment(s):

[Nicholas Hahn - Zoning Board of Adjustment and Appeals](#)

Code Enforcement / Planning

- 4 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 Code Enforcement Hearing, Moved By R. Lee Flowers, **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, Richard Kosloski

The following Citizen(s) addressed the Council:

- **Parcel 7 - Joyce Russell**

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, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Richard Kosloski

Attachment(s):

[Notice of Hearing - Code Enforcement Resolution 12052023 4 - Signed](#)

- 5 Acceptance - of Virginia Ridge Subdivision (Water & Sewer Only) - Final.

Motion to Accept Virginia Ridge Subdivision Final Acceptance Water and Sewer only, Moved By R.Lee Flowers, **Seconded by** Richard Kosloski

Vote: Motion Carried By Unanimous Roll Call Vote

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

Attachment(s):

[Virginia Ridge Subdivision; Final Acceptance Water and Sewer MEMO 22NOV2023](#)

Ordinances

- 6 Ordinance - rezoning tax parcel from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus") - located at 1227 Ocean Drive - Case # 2310PC119 - Ward 2.

Motion to Adopt Ordinance, 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, Richard Kosloski

Attachment(s):

[Ordinance 3331 12052023_6 - Signed](#)

- 7 Ordinance - rezoning tax parcel from T4L (General Urban Zone "Limited") to T4+ (General Urban Zone "Plus") - located at Dolan Avenue - Case # 2310PC123 - Ward 2.

Motion to Adopt Ordinance, Moved By Ron Roland, **Seconded by** Kenneth Casey

Motion to Amend the Ordinance to make the finding that there has been a change in character of the neighborhood is subject to use and development that would be consistent with the historic appeal and nature of the existing neighborhood, Moved By R. Lee Flowers, **Seconded by** Ella Holmes-Hines

Vote: Motion Failed By The Following Roll Call Vote

Aye: R.Lee Flowers, Ella Holmes-Hines

Nay: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, Richard Kosloski

The President called the question.

Vote: Motion Carried By The Following Roll Call Vote

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

Nay: Richard Kosloski

Attachment(s):

[Ordinance 3332 12052023_7 - Signed](#)

The President called for recess (2:56 P.M. – 3:03 P.M.)

- 8 Ordinance - requesting amendments to the Comprehensive Zoning Ordinance, as amended to the Accessory Building Ordinance Sec. IV. Supplementary regulations. (2) Accessory building - Case # 2301PC008.

- Deleted without objection -

- 9 Ordinance - providing for the salary of compensation for one (1) "Chief Administrative Officer" position, and for related purposes.

Motion to Adopt Ordinance, Moved By R. Lee Flowers, **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, Richard Kosloski

Attachment(s):

[Ordinance 3333 12052023 9 - Signed](#)

- 10 Ordinance - providing for the salary of compensation for one (1) "Harbor Master" position in the Department of Leisure Services, and for related purposes.

Motion to Adopt Ordinance, 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, Richard Kosloski

Attachment(s):

[Ordinance 3334 12052023 10 - Signed](#)

Resolutions

- 11 Resolution - approval of Public Works and Engineering Strategic Plan 2024 - 2027.

- Deleted -

- 11 – A Resolution - seeking consideration of the Mississippi Department of Transportation (MDOT) to enter into a formalized Agreement permitting municipal use of properties owned by MDOT, and for related purposes.

Motion to Table, Moved By Ella Holmes-Hines, **Seconded by** Rusty Walker

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Richard Kosloski

Nay: R.Lee Flowers

Taken off the Table without objection after Executive Session.

Motion to Approve, Moved By Ron Roland, **Seconded by** Richard Kosloski

Vote: Motion Carried By The Following Roll Call Vote

Aye: Ron Roland, Rusty Walker, Myles Sharp, Richard Kosloski

Absent: Kenneth Casey, Ella Holmes-Hines, R. Lee Flowers

Attachment(s):

[Resolution 12052023 11-A - Signed](#)

- 12** Resolution - approving Application by Seaway Business Center, LLC, for a municipal ad valorem tax exemption, not to include school district taxes for a period of five (5) years for capital investment and to authorize the exemption on certain tangible and real property pursuant to Miss. Code Ann., as amended, sec. 27-31-101, et seq., and for related purposes.

*** Councilmember Flowers recused and removed himself from the Chambers during the discussion and vote on this item.**

Motion to Approve, Moved By Ron Roland, **Seconded by** Richard Kosloski

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Richard Kosloski

Recused: R. Lee Flowers

Attachment(s):

[Resolution 12052023 12 - Signed](#)

- 12 - A** Resolution - authorizing contract negotiations with Michael Baker International, Inc., in connection with Engineering Services for the Courthouse Road Boat Launch and Jetty Improvements Project, and for related purposes.

Motion to Approve, 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, Richard Kosloski

Attachment(s):

[Resolution 12052023 12-A - Signed](#)

- 13** Resolution - approving Memorandum of Understanding with the Coast Transit Authority, and for related purposes.

- Postponed -

- 13 - A** Resolution - approving Refund Policy associated with the Gulfport Harbor Lights Winter Festival, and for related purposes.

Motion to Approve, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Richard Kosloski

Nay: R. Lee Flowers

Attachment(s):

[Resolution 12052023 13-A - Signed](#)

- 14** Resolution - approving Amendment No. 1 to Professional Services Agreement with Kayla Seals concerning provision of dispatch services, and for related purposes.

Motion to Approve, Moved By Ella Holmes-Hines, **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, Richard Kosloski

Attachment(s):

[Resolution 12052023 14 - Signed](#)

- 15** Resolution - approving Certificate of Substantial Completion for the Debuys Road Pump Station Replacement Project, and for related purposes.

Motion to Approve, 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, Richard Kosloski

Attachment(s):

[Resolution 12052023 15 - Signed](#)

- 16** Resolution - authorizing an expenditure (in the form of an in-kind donation) for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport in connection with Gulfport City of Light Hope Fest '24, and for related purposes.

Motion to Table, Moved By R. Lee Flowers, **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, Richard Kosloski

Motion to Take off the Table, Moved By Ella Holmes-Hines, **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, Richard Kosloski

Motion to Approve, Moved By Ella Holmes-Hines, **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, Richard Kosloski

Attachment(s):

[Resolution 12052023 16 - Signed](#)

The following (16 – A & 16 – B) were added and taken after Public Agenda.

- 16 - A** Resolution - authorizing an expenditure (via in-kind donation) for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport in connection with the Mississippi Association of Coaches' Bernard Blackwell Classic North/South All Star Football Game, and for related purposes.

Motion to Approve, 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, Richard Kosloski

Attachment(s):

[Resolution 12052023_16-A - Signed](#)

- 16 - B** Resolution - authorizing an expenditure (via in-kind donation) for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport and the Gulfport Harbor Lights Winter Festival, and for related purposes.

Motion to Approve, 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, Richard Kosloski

Absent: R.Lee Flowers

Attachment(s):

[Resolution 12052023_16-B - Signed](#)

- 17** Resolution - authorizing an expenditure (in the form of an in-kind donation) for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport in connection with Legacy Business League , and for related purposes.

Motion to Approve, Moved By R. Lee Flowers, **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, Richard Kosloski

Attachment(s):

[Resolution 12052023_17 - Signed](#)

- 17 – A** Resolution - memorializing the support of the Harrison County Board of Supervisors with respect to certain road repairs on 28th Street and on Dedeaux Road, and for related purposes.

Motion to Approve, Moved By R.Lee Flowers, **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, Richard Kosloski

Attachment(s):

[Resolution 12052023 17-A - Signed](#)

- 18** Resolution - retiring Police Dog "Gyozi", authorizing him to be retained by his handler pursuant to Miss. Code Ann. S 45-3-52, as amended, and for related purposes.

Motion to Approve, Moved By R. Lee Flowers, **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, Richard Kosloski

Attachment(s):

[Resolution 12052023 18 - Signed](#)

- 19** Resolution - reconfirming and extending the status of a State of Emergency due to the impacts of Hurricane Zeta on the City of Gulfport, and for related purposes.

Motion to Approve, Moved By R. Lee Flowers, **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, Richard Kosloski

Attachment(s):

[Resolution 12052023 19 - Signed](#)

- 20** Resolution - reconfirming and extending the status of a State of Emergency due to the impacts of Hurricane Ida on the City of Gulfport, and for related purposes.

Motion to Approve, Moved By R. Lee Flowers, **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, Richard Kosloski

Attachment(s):

[Resolution 12052023 20 - Signed](#)

Budget Amendments / Docket of Claims

- 21** Budget Amendment #19 - requesting HUD HOME Administrative Fee reimbursement to replace the Finance Department's Administrative Vehicle.

- Postponed without objection -

- 21 - A** Budget Amendment #20 - allocating monies for Fire Station No. 7 building repairs/remediation.

Motion to Approve Budget Amendment #20, Moved By Ron Roland, 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, Richard Kosloski

Attachment(s):

[BA#20 - Budget Amendment 2024-20 - 12 5 2023](#)

- 21 - B** Budget Amendment #21 - establishing projects paid for with FY 2023 General Fund surplus.

Motion to Postpone until January 2, 2024, Moved By Kenneth Casey, 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, Richard Kosloski

- 22** Docket of Claims - to be approved through December 6, 2023.

Motion to Approve Docket of Claims, in the amount of \$1,681,154.47, Moved By R. Lee Flowers, Seconded by Kenneth Casey

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Myles Sharp, R.Lee Flowers, Richard Kosloski

Nay: Ella Holmes-Hines

Attachment(s):

[Resolution 12052023 22 - Signed](#)

Routine Agenda

Motion to Approve Routine Agenda as amended, excluding item 24 – A, Moved By
R.Lee Flowers, **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, Richard Kosloski

- 23** Acknowledgment - of previously approved and subsequently executed Agreements, Contracts, and/or Documents - to be made a part of the minutes.

Attachment(s):

[Second Amendment - Interlocal - Gulfport Biloxi RAA - 10172023 12-B - Executed](#)
[Sports Facilities Management Agreement - 11212023 15 - Executed](#)
[GCCNV Agreement - 10172023 10 - Executed](#)
[Allen Beverages Sponsorship Agreement GHLWF - 11212023 19 - Executed](#)

- 24** Approval - of the 2024 City of Gulfport Calendar(s).

Attachment(s):

[2024 City of Gulfport Calendar\(s\)](#)

- 24 - A** Approval - of Public Works and Engineering Strategic Plan 2024 - 2027.

- Postponed without objection -

- 25** Code Enforcement Notice(s) - to be made a part of the minutes.

Attachment(s):

[Code Enforcement Chapter 3 Notification Letters](#)
[Code Enforcement - Chapter 3 Memorandum](#)

- 26** Legal Notice - advertisement for Term Contracts.

Attachment(s):

[Legal Notice 2024](#)

- 27** Legal Notice - advertisement for rebid of the Ken Combs Boat Launch Dredging sealed bid.

Attachment(s):

[Certified Bid Tab - Ken Combs Boat Launch Dredging](#)
[Ken Combs Dredging - Reject Bid Recommendation](#)
[Legal Advertisement - Ken Combs \(Rebid\)](#)

- 28 Letter - regarding bid awarded by Purchasing to Johnson Controls for chiller repair - Police Department - to be made a part of the minutes.

Attachment(s):

[Chiller Repair - Johnson Controls - PD](#)

- 29 Letter - regarding bid awarded by Purchasing to Caliber Collision for Vehicle Repair - Police Department - to be made a part of the minutes.

Attachment(s):

[Vehicle Repair - Caliber Collision - PD](#)

- 30 Letter - requesting permission to enter into negotiations with Michael Baker for the Courthouse Road Boat Launch and Jetty Improvements Project.

- Deleted -

- 31 Letter - requesting permission to renew certain term contracts for fiscal year 2024 with all prices remaining the same.

Attachment(s):

[Term Renewable 2024](#)

- 32 Privilege License Report - for the month of November, 2023 - to be made a part of the minutes.

Attachment(s):

[Privilege License Report - November 2023](#)

- 33 Ratification - of Gateway America Access and Security Agreement (Confidential/Redacted) - to be made a part of the minutes.

Attachment(s):

[Gateway America](#)

Public Agenda

The President called for comments during the Public Agenda.

The following Citizen(s) addressed the Council:

- Michael Richardson - 621 McIntosh Street
- Bertrand Eason - 1731 A 21st Street
- David Easterling - 140 Markham Drive
- Robert Kranz - 3500 14th Street

This Concluded the Public Agenda.

Council Comments

Memorial Adjournment

- [Ms. Jeanie Nelson Jeanel Hewes Pettey](#)
- [Ms. Doris Mae Nena Revon](#)
- [Mr. William Murphy Bill Rainey](#)

Executive Session

Upon the advice of General Counsel, Motion to Enter Closed Session to make a preliminary determination of the necessity for Executive Session, 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, Richard Kosloski

Absent: R. Lee Flowers

The Council entered Closed Session at 4:04 P.M. In attendance: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Richard Kosloski (in at 4:05 P.M.), Mayor Billy Hewes, CAO Leonard Papania, General Counsel Hugh Keating, City Attorney Jeff Bruni, Clerk of Council Brittany Rodgers, and Deputy Clerk of Council Brittany Thomas.

Motion to Exit Closed Session at 4:05 P.M., 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, Richard Kosloski

Absent: R. Lee Flowers

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 4:06 P.M. for (1) strategy session with respect to prospective litigation arising out of an auto incident involving a vehicle being operated by Alicia Sprinkle (State Farm Insurance Company) that resulted in damage to a City vehicle; (2) strategy session with respect to prospective litigation arising out of an auto incident involving a vehicle being operated by Tammy Bounds (Liberty Mutual Insurance Company) that resulted in damage to a City vehicle; (3) strategy session with respect to prospective litigation arising out of an auto incident involving a vehicle being operated by Cesar Munuz damage a City vehicle; (4) strategy session with respect to prospective litigation arising out of an auto incident involving a vehicle being operated by Stephen McDonald that resulted in damage to two (2) City vehicle;

(5) strategy session with respect to prospective litigation arising out of utility services involving Elaine Spears; (6) strategy session with respect to litigation involving an effort to vacate a City right-of-way by Delaney Mecham and Hannah Shirley off of Courthouse Road; (7) strategy session with respect to prospective litigation arising out of damage to City infrastructure caused by AT&T; (8) strategy session with respect to litigation involving an effort to amend a subdivision plat by Northpark Holdings, LLC; (9) strategy session with respect to litigation involving an effort to vacate a City right-of-way by the Brandhorsts; and (10) strategy session with respect to prospective litigation associated with expenditure of municipal resources involving properties owned by the Mississippi Department of Transportation., Moved By Ella Holmes-Hines, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Rusty Walker, Richard Kosloski

Absent: Myles Sharp, R. Lee Flowers

Recused: Ella Holmes-Hines

The Council entered Executive Session at 4:08 P.M. In attendance: Kenneth Casey (out at 5:24 P.M.), Ron Roland, Ella Holmes-Hines (in at 4:14 P.M. - out at 6:05 P.M.), Rusty Walker, Myles Sharp, Richard Kosloski, Mayor Billy Hewes (out at 5:09 P.M.), CAO Leonard Papania (out at 5:08 P.M.), General Counsel Hugh Keating (recused at 4:26 P.M. - in at 4:28 P.M.), City Attorney Jeff Bruni, Assistant City Attorney Margaret Murdock (in at 4:12 P.M. - out 4:27 P.M.), Director of Finance and Accounting Todd Harman (in at 5:09 P.M. - out at 5:24 P.M.), Director of Public Works and Engineering Wayne Miller (in at 5:25 P.M. - out at 5:46 P.M.), Clerk of Council Brittany Rodgers and Deputy Clerk of Council Brittany Thomas.

Motion to Exit Executive Session at 6:04 P.M., Moved By Ron Roland, Seconded by Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Richard Kosloski

Absent: Kenneth Casey, R. Lee Flowers

No official action was taken during Executive Session.

Upon reconvening in an open meeting, the following actions were taken:

Move to authorize the City Attorney's Office to accept the sum of \$1,769.10 from State Farm Insurance in settlement of the City's property damage arising out of an automobile accident that occurred on May 31, 2023 when a vehicle owned by this company's insured, Alicia Sprinkle, collided with a 2022 Ford Maverick, Asset Number 1999, owned by the City of Gulfport, causing damages and that the Mayor and City Attorney's office be authorized to execute any and all documents necessary to effectuate this settlement on behalf of the City, including, without limitation, any releases or settlement agreements., Moved By Myles Sharp, Seconded by Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Rusty Walker, Myles Sharp, Richard Kosloski

Absent: Kenneth Casey, Ella Holmes-Hines, R. Lee Flowers

Move to authorize the City Attorney's Office and his staff to take any and all actions necessary, including the submission of claims and the filing of any lawsuits and all actions related thereto and to authorize the expenditure of monies to go towards the payment of any costs or expenses incurred related to such actions, including court costs and fees and any other expenses, to recover monies for the City against Tammy Bounds and all others responsible, including filing suit in the appropriate court, arising out of an automobile accident which occurred on October 18, 2022, when the vehicle she was driving caused damage to a motor vehicle owned by the City., Moved By Myles Sharp, Seconded by Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Rusty Walker, Myles Sharp, Richard Kosloski

Absent: Kenneth Casey, Ella Holmes-Hines, R. Lee Flowers

Move to authorize the City Attorney's Office and his staff to take any and all actions necessary, including the submission of claims and the filing of any lawsuits and all actions related thereto and to authorize the expenditure of monies to go towards the payment of any costs or expenses incurred related to such actions, including court costs and fees and any other expenses, to recover monies for the City against Cesar Munuz and all others responsible, including filing suit in the appropriate court, arising out of an automobile accident which occurred on October 4, 2023, when the vehicle he was driving caused damage to a motor vehicle owned by the City., Moved By Myles Sharp, Seconded by Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Rusty Walker, Myles Sharp, Richard Kosloski

Absent: Kenneth Casey, Ella Holmes-Hines, R. Lee Flowers

Move to authorize the City Attorney's Office and his staff to take any and all actions necessary, including the submission of claims and the filing of any lawsuits and all actions related thereto and to authorize the expenditure of monies to go towards the payment of any costs or expenses incurred related to such actions, including court costs and fees and any other expenses, to recover monies for the City against Stephen McDonald and all others responsible, including filing suit in the appropriate court, arising out of an automobile accident which occurred on October 8, 2023, when he caused damage to two motor vehicles owned by the City during his arrest., Moved By Myles Sharp, Seconded by Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Rusty Walker, Myles Sharp, Richard Kosloski

Absent: Kenneth Casey, Ella Holmes-Hines, R. Lee Flowers

Move to authorize the City, by and through the City Attorney's Office, to settle, fully and finally, the claim asserted by James and Elaine Spears for reimbursement of sewer charges (transportation and treatment) erroneously paid to the City for the total sum of \$5,000.00, to be paid from the City's claims contingency account, in return for a full and final release to be executed by James and Elaine Spears., Moved By Myles Sharp, Seconded by Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Rusty Walker, Myles Sharp, Richard Kosloski

Absent: Kenneth Casey, Ella Holmes-Hines, R. Lee Flowers

Move to authorize the City, by and through the City Attorney's Office, to agree to an Order granting the relief sought in Northpark Holdings, LLC, v. City of Gulfport, et al., pursuant to which Lot 2 of the Gulfport Promenade Subdivision will be split into 4 separate parcels (2A, 2B, 2C and 2D)., Moved By Myles Sharp, Seconded by Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Rusty Walker, Myles Sharp, Richard Kosloski

Absent: Kenneth Casey, Ella Holmes-Hines, R. Lee Flowers

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 Ms. Jeanie Nelson "Jeanel" Hewes Pettey, Ms. Doris Mae "Nena" Revon, and Mr. William Murphy "Bill" Rainey, until December 19, 2023 at 1:30 P.M. for a Regular Meeting, Moved By Ron Roland, Seconded by Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Rusty Walker, Myles Sharp, Richard Kosloski

Absent: Kenneth Casey, Ella Holmes-Hines, R. Lee Flowers

City Clerk

Mayor

Agenda Adjustments

- 11 - A** Resolution - seeking consideration of the Mississippi Department of Transportation (MDOT) to enter into a formalized Agreement permitting municipal use of properties owned by MDOT, and for related purposes.
- 12 - A** Resolution - authorizing contract negotiations with Michael Baker International, Inc., in connection with Engineering Services for the Courthouse Road Boat Launch and Jetty Improvements Project, and for related purposes.
- 13 - A** Resolution - approving Refund Policy associated with the Gulfport Harbor Lights Winter Festival, and for related purposes.
- 16 - A** Resolution - authorizing an expenditure (via in-kind donation) for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport in connection with the Mississippi Association of Coaches' Bernard Blackwell Classic North/South All Star Football Game, and for related purposes.

- 16 - B** Resolution - authorizing an expenditure (via in-kind donation) for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport and the Gulfport Harbor Lights Winter Festival, and for related purposes.
- 17 - A** Resolution - memorializing the support of the Harrison County Board of Supervisors with respect to certain road repairs on 28th Street and on Dedeaux Road, and for related purposes.
- 21 - A** Budget Amendment #20 - allocating monies for Fire Station No. 7 building repairs/remediation.
- 21 - B** Budget Amendment #21 - establishing projects paid for with FY 2023 General Fund surplus.
- 24 - A** Approval - of Public Works and Engineering Strategic Plan 2024 - 2027.