



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, May 17, 2016

1:30 PM

*Gulfport City Hall
Council Chambers*



1:30 p.m.

Invocation, Pledge of Allegiance, Call to Order

The 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 meeting held this same date of May 17, 2016 at 12:30 P.M. Present: Councilmembers: Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers and Cara Pucheu. Absent: Mayor Billy Hewes and Councilmembers Kenneth Casey and Myles Sharp.

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



Agenda Order Confirmation or adjustment of the agenda order

Motion to accept the agenda with the following adjustments; Add Routine Item #37, Letter of recommendation - requesting permission to purchase 2016 Halloween Extravaganza and additional Harbor Lights items from Universal Concepts, Moved By Ricky Dombrowski, Seconded By R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



Presentation Agenda

• Mayor's Report

The President called for the Mayor's Report. In the absence of the Mayor, CAO Dr. John Kelly presented the Mayor's Report.

- **Police Memorial Service** – honoring our fallen officers who made the ultimate sacrifice – this Friday, May 20th at 9 a.m. – Robert J. Curry Public Safety Center – 2220 15th Street
- **Cinema By The Shore** – this Friday, May 20th in Jones Park – “The Minions” will be showing – a free family event. Activities begin at 6:30 p.m. and the movie starts at 7:45 p.m.
- **Farmer's Market** – every Wednesday from 9 a.m. – 1 p.m. at the Barksdale Pavilion in Jones Park.
- **Proclamation presented to Public Works Director Wayne Miller and Staff** – declaring the week of May 15-21 as Public Works Week in the City of Gulfport, honoring National Public Works Week.
- **Update from Harrison County Utility Authority Executive Director, Donald Scharr on the WastPro Contract.**

This concluded the Mayor's Report.

Policy Issues

Minutes



1

Approval of minutes - for May 3, 2016.

Motion to Approve the minutes of May 3, 2016, Moved By Ella Holmes-Hines, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp

Code Enforcement / Planning



2

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 Cara Pucheu, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp

There being no one present to object, Motion to Close the Hearing and Approve the Resolution, Moved By Cara Pucheu, **Seconded By** Ricky Dombrowski.

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



3

Certificate of Re-subdivision - requesting to re-subdivide one parcel into five parcels, zoned T5 (Urban Center Zone), located north of Beach Drive, south of Martin Avenue, east of Tegarden Road, and west of and adjacent to Markham Drive - Case # 1601PC011 - Ward 2.

Motion to Approve Certificate of Re-subdivision, Moved By Ricky Dombrowski, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



4

Certificate of Re-subdivision - requesting to re-subdivide one parcel into two parcels, zoned R-1-10 (Single Family), north of Boles Blvd, south of Three Rivers Road, east of and adjacent to John Road, and west of Mary Avenue - Case # 1603PC027 - Ward 6.

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

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp

Motion to Approve Certificate of Re-subdivision, Moved By R.Lee Flowers, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



5

Ordinance - rezoning property from T3 (Sub-Urban Zone) to T4+ (General Urban Zone “Plus”), located north of and adjacent to 16th Street, south of 17th Street, east of 34th Avenue, west of and adjacent to 33rd Avenue - Case # 1604PC043 - Ward 2.

Motion to Adopt the Ordinance, Moved By Ricky Dombrowski, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp

Ordinance #2853



6

Ordinance - amending Chapter 2, Article III of the City of Gulfport, Mississippi, Code of Ordinances, relating to the operation of the Bert Jones Yacht Basin, and for related purposes.

Motion to Adopt the Ordinance, Moved By Ricky Dombrowski, **Seconded By** Cara Pucheu and put to discussion.

Council President Walker asked that this be approved as a first reading and asked Harbor Master George Manemann for an overview of the ordinance changes.

Motion to Lay the Ordinance on the Table until the June 7, 2016 Meeting, Moved By Ella Holmes-Hines, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp

Resolutions / Requests



7

Resolution - approving Agreement with BancorpSouth Insurance Services, Inc., and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



8

Resolution - approving Policy of Insurance with Ironshore Indemnity, Inc., as Reinsurance Carrier and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



9

Resolution of the Gulfport City Council to approve Use Agreement with Mississippi Deep Sea Fishing Rodeo, Inc., and to authorize expenditure in support of the 2016 Deep Sea Fishing Rodeo, and for related purposes.

Motion to Approve the Resolution, Moved By Cara Pucheu, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



10

Resolution - approving and appointing Mississippi Municipal League 2016 voting delegates for the City of Gulfport.

Motion to Approve the Resolution with Mayor Billy Hewes as voting delegate, City Clerk Linda Elias as first alternate and Councilwoman Cara Pucheu as second alternate, Moved By Ella Holmes-Hines, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



11

Resolution - approving the sale of police sidearm to retired Sgt. Kevin Jackson.

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

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



12

Resolution - approving Agreement with Mississippi Delta Shows, LLC, related to the 2016 Harbor Light Show and authorizing the Mayor to execute the same.

Motion to Approve the Resolution, Moved By Ricky Dombrowski, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp

13

Resolution - approving Memorandum of Understanding with Pan-Isles, Inc., related to the 2016 Harbor Light Show and authorizing the Mayor to execute the same.

Motion to Approve the Resolution, Moved By Ricky Dombrowski, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp

- 14 Resolution - approving Memorandum of Understanding with Ron Meyers Production, related to the 2016 Harbor Light Show and authorizing the Mayor to execute the same.

Motion to Approve the Resolution, Moved By Ricky Dombrowski, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp

- 15 Resolution - approving Memorandum of Understanding with Swetman Security Service, related to the 2016 Harbor Light Show and authorizing the Mayor to execute the same.

Motion to Approve the Resolution, Moved By Ricky Dombrowski, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp

- 16 Resolution - approving Memorandum of Understanding with Kid Master Express, related to the 2016 Harbor Light Show and authorizing the Mayor to execute the same.

Motion to Approve the Resolution, Moved By Ricky Dombrowski, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



17

- Resolution – extending effective date of 2013 Employee Handbook to June 22, 2016, and making said handbook applicable to all City employees.

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

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



18

- Request – for approval of Preferred Alternate “E” for the Landon Road Improvements Project – Highway 49 to 34th Street.

Motion to Approve the Preferred Alternate “E” for the Landon Road Improvements Project, Moved By Cara Pucheu, **Seconded By** R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



19

- Request - from American Heart Association for permission to close a portion of Hwy 90 during Heart Walk, Saturday, October 1, 2016.

Motion to Approve the Request from AHA for permission to close a portion of Hwy 90, Moved By Ella Holmes-Hines, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



20

Request - from Gulfport Mainstreet for permission to close streets for the 2nd Annual Tour de Gulfport Race, Saturday June 18, 2016.

Motion to Approve the Request from Gulfport Mainstreet for permission to close streets for the 2nd Annual Tour de Gulfport Race, Moved By Cara Pucheu, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



21

Request - from Gulfport Mainstreet for permission to close streets for the Chandeaur Brewery event, Saturday, June 18, 2016.

Motion to Approve the Request from Gulfport Mainstreet for permission to close streets for the Chandeaur Brewer Event, Moved By Ricky Dombrowski, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp

Budget Amendments / Docket of Claims



22

Budget Amendment #46 - to budget revenue received from a forfeiture as a result of a drug related arrest.

Motion to Approve Budget Amendment #46, Moved By R.Lee Flowers, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp

23

Budget Amendment #47 - transferring funds of \$12,000.00 to purchase tough book and software for Water and Sewer camera van.

Motion to Approve Budget Amendment #47, Moved By R.Lee Flowers, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp

24

Budget Amendment #48 - transferring funds from the BP Settlement Reserve account for a judgement payment to Dedeaux Utilities, Inc. per May 3rd, 2016 minutes.

Motion to Approve Budget Amendment #48, Moved By R.Lee Flowers, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp



25

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

Note: Councilmember Cara Pucheu recused herself and removed herself from the Council Chambers during the discussion and vote on the Docket of Claims.

Motion to Approve the Docket of Claims, in the amount of \$4,386,207.03, Moved By R.Lee Flowers,
Seconded By Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey, Myles Sharp, Cara Pucheu (recused and out of the room)



Routine Agenda

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

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Kenneth Casey and Myles Sharp

- 26 Resolution - awarding bids for lot clean-ups and/or demolitions.
- Approved on the Routine Agenda**
- 27 Associated Adjusters Check Register - for the month of April, 2016 - to be made part of the minutes.
- Approved on the Routine Agenda**
- 28 Year to Date Budget Report - for month ending April 30, 2016 - to be made part of the minutes.
- Approved on the Routine Agenda**
- 29 Privilege License Report - for the Month of April, 2016.
- Approved on the Routine Agenda**
- 30 Biweekly Pay Distribution Journals - for the month of April, 2016.
- Approved on the Routine Agenda**
- 31 Conveyance Deed - regarding transfer of ownership of space in Evergreen Cemetery.
- Approved on the Routine Agenda**
- 32 Letter - regarding bids received in Purchasing for 8th Ave. fence - Police Department - to be made a part of the minutes.
- Approved on the Routine Agenda**
- 33 Letter - regarding bids received in Purchasing for Valmont Poles - Public Works Department - to be made a part of the minutes.
- Approved on the Routine Agenda**
- 34 Letter - regarding bids received in Purchasing for HP Elite Desks and Monitors - Police Department - to be made a part of the minutes.

Approved on the Routine Agenda

- 35 Request For Proposals - for debris monitoring services related to emergency storm debris.

Approved on the Routine Agenda

- 36 Request For Proposals - for debris clearing, removal and disposal services of storm related debris.

Approved on the Routine Agenda

- 37 Letter of recommendation - requesting permission to purchase 2016 Halloween Extravaganza and additional Harbor Lights items from Universal Concepts.

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 following citizens addressed the Council during the Citizen Forum:

- Pastor Ryan Moreaux, Kenwood Baptist Church, 12217 Old Hwy 49.
- Ms. Nancy Mustaikis, resident of 4023 8th Street.
- Mr. Howard Page, representative of Steps Coalition.

This concluded the Public Agenda.

**Council Comments****Executive Session**

Upon advice of General Counsel, Motion to close the meeting to determine the need for executive session at 3:06 P.M., Moved By R.Lee Flowers, Seconded By Cara Pucheu

Vote: Motion Carried By Unanimous Vote:

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

Absent: Kenneth Casey and Myles Sharp

Motion to come out of closed session and enter executive session at 3:09 P.M., Moved By Cara Pucheu, Seconded By Ella Holmes-Hines

Vote: Motion Carried By Unanimous Vote:

Aye: Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker and Cara Pucheu

Absent: Kenneth Casey Myles Sharp and R.Lee Flowers

The Council entered executive session at 3:09 P.M. In attendance: Members of the Council: Ricky Dombrowski, Ella Holmes-Hines (out at 3:57 P.M.), Rusty Walker, R.Lee Flowers (out at 3:07 P.M. and back in at 3:15 P.M.) and Cara Pucheu, CAO Dr. John Kelly (out at 3:45 P.M.), General Counsel Hugh Keating, Economic Development Director David Parker, GRC Counsel Steve Hendrix (out at 4:02 P.M.), GRC Member Sal Domino (out at 4:02 P.M.), Clerk of Council Ronda Cole and Deputy Clerk of Council Cheryl Germany. The Council entered executive session for the purpose of discussion matters in litigation, one of which involves lease negotiations.

Motion to come out of executive session at 4:04 P.M., Moved By Ricky Dombrowski, **Seconded By** R.Lee Flowers

Vote: Motion Carried By Unanimous Vote:

Aye: Ricky Dombrowski, Rusty Walker , R.Lee Flowers and Cara Pucheu

Absent: Kenneth Casey, Ella Holmes-Hines and Myles Sharp

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

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

Motion to engage the services of Dr. Wayne Gary Kelly, who is the Chair of the Department of Finance at the University of Southern Mississippi to provide consulting services in connection with the Dedeaux Utilities Acquisition and the interest rate issue, for a sum not-to-exceed in the aggregate of \$12,000, Moved By R.Lee Flowers, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Vote:

Aye: Ricky Dombrowski, Rusty Walker , R.Lee Flowers and Cara Pucheu

Absent: Kenneth Casey, Ella Holmes-Hines and Myles Sharp

Motion to authorize the Legal Department to engage an appraiser and a review appraiser to provide estimates of fair marker rental rate, for the purpose of entering into lease negotiations with Verizon for the lease of the cell site (tower at Milner Stadium), for an amount not-to-exceed \$1,000 each for the appraiser and the review appraiser for a total of \$2,000.

Vote: Motion Carried By Unanimous Vote:

Aye: Ricky Dombrowski, Rusty Walker , R.Lee Flowers and Cara Pucheu

Absent: Kenneth Casey, Ella Holmes-Hines and Myles Sharp

Memorial Adjournment

- **Mrs. Doris Faye Carney**
- **Sister Lugussie Hathorne**

Setting of Next Meeting and Adjournment

There, being no further business to come before the Council, a Motion to adjourn in memory of Mrs. Doris Faye Carney and Ms. Lugussie until June 7, 2016 at 1:30 P.M. for a regular council meeting, Moved By Ricky Dombrowski, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Vote:

Aye: Ricky Dombrowski, Rusty Walker , R.Lee Flowers and Cara Pucheu

Absent: Kenneth Casey, Ella Holmes-Hines and Myles Sharp

City Clerk

Mayor