



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, July 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 June 21, 2016 at 1:30 P.M. **Present:** Mayor Billy Hewes, General Counsel Hugh Keating, Councilmembers: Kenneth Casey, Ricky Dombrowski (out at 4:06 P.M.), Rusty Walker, Myles Sharp, R.Lee Flowers and Cara Pucheu. **Absent:** Ella Holmes-Hines

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 as presented, Moved By Myles Sharp, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call 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 recognized Mayor Billy Hewes for presentation of the Mayor's Report.

The Mayor welcomed everyone to the council meeting and announced that the July 4th festivities went off without a hitch and prayed that everyone enjoyed their holiday as America celebrated their independence.

A moment of silence was observed for our friend and coworker Mike Mullins who died last week in a motorcycle accident. Mike worked in vehicle maintenance and was an outstanding employee to the City of Gulfport.

The Mayor called upon Police Chief Leonard Papania. Chief Papania presented Sergeant Wayne Payne his twenty (20) year service pen. Sergeant Payne was thanked for his dedication to the Police Department and was given a standing ovation.

With the **Mississippi Deep Sea Fishing Rodeo** back home in Jones Park, the Mayor extended his thanks to the Harbor staff, Leisure Services and First Responders for another successful event as the Rodeo celebrated its 69th year.

Gulfport's Brittney Reese has qualified for her 3rd Olympics and has the opportunity to be first female in history to win back to back gold medals!!

Mississippi's largest trampoline park is now open in Gulfport, 43,000 square foot building on Hwy 49 next to Walmart – **ALTITUDE TRAMPOLINE PARK**

The new **Lorraine Road Bridge** has opened. The completed bridge project came in ahead of schedule and below budget. The Mayor encouraged all to take a visit and travel the new extended bridge.

Airport Road Paving – this project has been completed and has turned out remarkable.

Tomorrow – Gulfport's **POP BROTHERS** will be the center of attention with Tillman Fertitta's show "Billion Dollar Buyer" which airs on CNBC – Come show your support of this Gulfport based business. Everyone was asked to be in place by 3:30 p.m. for the 4:00 p.m. filming.

Gulfport Main Street Association had received national accreditation two (2) years in a row. One of the feature projects was **FishBone Alley**. Once the construction and signage is complete, the Mayor announced there would be a grand opening celebration.

Update on **Dedeaux Road widening**. With the absence of Billy Waites, MS Engineering Group, Public Works Director Wayne Miller provided the monthly update. The project submittal was scheduled to be forwarded to MDOT by the end of the week. Mr. Miller discussed the condition of Dedeaux from Dede Drive eastward. There were areas that were in desperate need of re-paving but the funding was not budgeted at this time. The city would make sure to keep an eye on the condition of the road.

This concluded the Mayor's Report.

Minutes



1

Approval of minutes - for June 21, 2016.

Motion to Approve the minutes of June 21, 2016, Moved By Cara Pucheu, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines

Planning / Code Enforcement / Ordinances



2

Objection - to Planning Commission recommendation to rezone property from R-1-15 (Single-Family) to B-1 (General Business) located north of and adjacent to 3rd Street, south of adjacent to Highway 53, east of and adjacent Old Highway 49, and west of and adjacent to East Railroad Avenue - Case #1605PC058 - Ward 7.

Note: Council President Rusty Walker recused himself and removed himself from the Council Chamber during the discussion and vote and relinquished to Chair to Council Vice President Myles Sharp.

Motion to remand back to the Planning Commission due to the possibility of

reconsideration of the applicant putting in a buffer between the residential and the B-1 district, Moved By Cara Pucheu, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines and Rusty Walker (absent and recused)

Note: Council President Walker re-entered the room and resumed as Chair over the meeting.



3

Objection - to Planning Commission recommendation to rezone property from T4+ (General Urban Zone "Plus") zoning district to T6 (Urban Core Zone) zoning district located north of and adjacent to Beach Drive, south of South Railroad Street, east of Dolan Avenue, and west of and adjacent to Tegarden Road - Case # 1605PC049 - Ward 2.

Motion to uphold Planning Commission recommendation (approve rezoning from T4+ to T6), Moved By Ricky Dombrowski, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines

Ordinance #2859



4

Ordinance - rezoning property from R-2 (Single-Family) to B-1 (Neighborhood Business), located north of 26th-½ Street, south of adjacent to 28th Street, east of Hewes Avenue, and west of Roberts Avenue - Case # 1605PC046 - Ward 3.

Motion to approve the rezoning from R-2 to B-1, Moved By R.Lee Flowers, **Seconded By** Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines

Ordinance #2860



5

Code Enforcement Hearing - resolution declaring 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, Cara Pucheu, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines

Motion to Close the Hearing and Approve, Moved By, Kenneth Casey, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines

Resolutions / Requests



6

Resolution - expressing support for the restoration of passenger rail service to the Mississippi Gulf Coast.

Motion to approve the Resolution, Moved By Cara Pucheu, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines



7

Resolution - approving Lease Agreement with the John C. Robinson Brown Condor Association and authorizing the Mayor to execute the same.

Motion to approve the Resolution, with effective term from August 1, 2016 through July 31, 2017, Moved By Myles Sharp, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines



8

Resolution - approving development and implementation of a Hotel Rebate Agreement Form to be utilized by Sportsplex tournament attendees, and authorizing the Mayor to execute the same.

Motion to approve the Resolution, Moved By Ricky Dombrowski, **Seconded By** Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines



9

Resolution - by the Gulfport City Council authorizing Gulfport Redevelopment Commission to enter into a ground lease with Coast Transit Authority for the former downtown library site.

Motion to approve the Resolution, Moved By Cara Pucheu, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines



10

Resolution - approving Memorandum of Understanding with Big Noise Production for sound system related to the 2016 Harbor Light Show and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines



11

Resolution - approving Change Order #2 to the Agreement with SCI, Inc. related to the Lyman Gravity Sewer Improvements, and authorizing the Mayor to execute the same.

Motion to approve the Resolution, Moved By Cara Pucheu, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines



12

Resolution - authorizing acceptance of Stop Violence Against Women Grant #15SL2141, which provides funding for a Domestic Violence Officer, and authorizing the Mayor to execute the same.

Motion to approve the Resolution, Moved By R.Lee Flowers, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines



13

Resolution - authorizing the acceptance of Stop Violence Against Women Grant #15SP2141, which provides funding for a part-time Domestic Violence Prosecutor, 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 Roll Call Vote:

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

Absent: Ella Holmes-Hines



14

Request - by Police Department to replace the position of Personnel Specialist with Animal Control Specialist.

Motion to approve the Request, Moved By Cara Pucheu, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines

15

Request - from "Susan G. Komen Race for the Cure Mississippi Gulf Coast" for street closure and route map for the 3rd Annual Race for the Cure scheduled for Saturday, September 24, 2016.

Motion to approve the Resolution, Moved By Ricky Dombrowski, **Seconded By** Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines

Docket of Claims



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

Motion to approve the Docket of Claims, in the amount of \$2,295,039.60, Moved By R.Lee Flowers, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines

***Note: Following Motion taken after executive session:**

Motion to reconsider the approval of the Docket of Claims, Moved By Myles Sharp, **Seconded By** R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ricky Dombrowski and Ella Holmes-Hines

Motion to approve the Docket of Claims, but to withhold any payment included to Gary E. White, Attorney, until such time that the Legal Department has confirmed that Mr. White has complied with providing the City the remaining information as requested by the City, related to his representation in the Dedeaux Utility case, up to the date of his withdrawal, Moved By Myles Sharp, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ricky Dombrowski and Ella Holmes-Hines

Routine Agenda

Motion to approve the Routine Agenda as Presented, Moved By R.Lee Flowers, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines

17

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

Approved on the Routine Agenda.

- 18 Letter - regarding bid awarded by Purchasing for fire alarm/sprinkler inspections and repairs - to be made a part of the minutes.

Approved on the Routine Agenda.

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

Approved on the Routine Agenda.

- 20 Letter of recommendation - regarding RFP received for appraisal/review appraisal services for Brickyard Bayou Project.

Approved on the Routine Agenda.

- 21 Legal notice - advertisement for bids for Body Worn Cameras

Approved on the Routine Agenda.**Public Agenda**

Citizen Forum – Up to thirty minutes shall be allowed for public input with a three minute time limit on each speaker.

The following citizen addressed the Council.

- Mr. Manuel Rojas, resident of 11935 Summerhaven Circle.

This concluded the Public Agenda.

Council Comments**Memorial Adjournment**

- Mr. Michael Scott Mullins
- Ms. Rita Bertucci Salloum

**Executive Session**

Upon advice of General Counsel, Motion to close the meeting to determine the need for executive session at 3:10 P.M., Moved By Myles Sharp, Seconded By Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines

Motion to come out of closed session and enter executive session at 3:17 P.M., Moved By Myles Sharp, Seconded By Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ella Holmes-Hines

The Council entered executive session at 3:17 P.M. In attendance: Members of the Council: Kenneth Casey Ricky Dombrowski (out at 4:06 P.M.), Rusty Walker, Myles Sharp, R.Lee Flowers (in at 3:21 P.M.), and Cara Pucheu, Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, City Attorney Jeff Bruni (in at 3:22 P.M.), Engineering Director Kris Riemann (out at 3:59 P.M.), Brown, Mitchell & Alexander, Inc., representative Jason Saucier (in at 4:00 P.M. and out at 4:15 P.M.), Clerk of Council Ronda Cole and Deputy Clerk of Council Cheryl Germany. The Council entered executive session for the purpose of discussing matters of litigation relating to Dedeaux Utilities, Struthers property and the Sportsplex.

Motion to come out of executive session at 4:25 P.M., Moved By Myles Sharp, Seconded By R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ricky Dombrowski and Ella Holmes-Hines

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 reconsider the approval of the Docket of Claims, Moved By Myles Sharp, Seconded By R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ricky Dombrowski and Ella Holmes-Hines

Motion to approve the Docket of Claims, but to withhold any payment included to Gary E. White, Attorney, until such time that the Legal Department has confirmed that Mr. White has complied with providing the City the remaining information as requested by the City, related to his representation in the Dedeaux Utility case, up to the date of his withdrawal, Moved By Myles Sharp, Seconded By Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ricky Dombrowski and Ella Holmes-Hines

Motion to recognize the withdrawal of Gary White as representing attorney in the Dedeaux Utilities case and to authorize the city's in house legal team to assume handling the defense of said case, Moved By Myles Sharp, Seconded By Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ricky Dombrowski and Ella Holmes-Hines

Motion to authorize the City, by and through its purchasing officer or other agent on its behalf, to proceed with the purchase of mitigation credits for 7.96 acres, by way of the solicitation of requests for proposals from vendors in connection with mitigation associated with the Sportsplex, including its current expansion project, with authorization being provided to the Mayor or his designee to execute any and all documents necessary to effectuate this mitigation or associated therewith as may be required by the U.S. Army corps of Engineers or other applicable organization or entity, Moved By Myles Sharp, Seconded By Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ricky Dombrowski and Ella Holmes-Hines

Motion to authorize the Administration to accept the assignment from the Gulfport Redevelopment Commission (GRC) to the City of Gulfport of personal guarantees related to the lease of the Struthers property, Moved By Myles Sharp, Seconded By R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ricky Dombrowski and Ella Holmes-Hines



Setting of Next Meeting and Adjournment

There being no further business to come before the Council, a Motion to adjourn in memory of Mr. Michael Scott Mullins and Mrs. Rita Bertucci Salloum until July 19, 2016 at 1:30 P.M. for a regular council meeting, Moved By R.Lee Flowers, Seconded By Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote:

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

Absent: Ricky Dombrowski and Ella Holmes-Hines

City Clerk

Mayor