



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, November 17, 2015

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 council meeting held on November 17, 2015 at 1:30 P.M. Present: Mayor Billy Hewes, General Counsel Hugh Keating, Council Members: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers and Cara Pucheu.

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



Agenda Order

Confirmation or adjustment of the agenda order

A motion was made by Councilmember Sharp, duly seconded by Councilmember Casey to accept the agenda with the following changes: **Addition of Item #20A-** Amendment with Pan Isles, Inc.; **Addition of Item # 26A-** Acceptance - of grant from the MS Department of Public Safety, Office of Homeland Security for the Fire Department, in the amount of \$40,000.00. ; **Addition of Item # 26B-** Request - for payment of invoice (by special check), in the amount of \$123,417.25 payable to Kappa Development & General Contracting, Inc., for services related to the Hatten Lane Sewer Improvements Project.

The motion carried the following vote:

Vote: Motion Carried By Unanimous Roll Call Vote

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



Presentation Agenda



• Mayor's Report

The President called for the Mayor's Report.

Mayor Billy Hewes began his report with a Moment of Silence for the victims of the Paris Terrorist Attacks.

The lights of their flag, in Jones Park at the various pavilions are to signify our solidarity with France over the recent terrorist attacks.

The Mayor reported that this past Saturday, we kicked off the 27th Avenue Market. It will take place each Saturday from 10 – 2 pm with food, art, plants, live music and more.

Mayor Hewes announced the following upcoming events :

- The Gulfport Harbor Lights Winter Festival kicks off the Friday after Thanksgiving, November 27th. It is going to be like nothing you've ever seen! \$5 per person or \$20 per carload. Details on our city's website and Facebook page! Lighting up the sky until January 3!
- USS Jackson Commissioning will be Saturday, December 5, 10 am at the Port of Gulfport. Tickets available here at City Hall, the event is free and open to the public but you must have a ticket for entrance into the Port!
- An Announcement will be made this week regarding the members of the inaugural Mayor's Youth Council! They will be introduced at the next Chamber Business Breakfast in December!

The Mayor congratulated Councilman R.Lee Flowers who was recognized at today's One Coast Awards ceremony. He was honored to receive the "Top 10 Under 40" award at the Chamber Breakfast!

Mayor Hewes called upon David Hardy who introduced the GRC Design Team for the Aquarium Project.

Dax Alexander with Brown & Mitchell came forward and gave a brief update regarding the new roundabout on Airport Road.

This concluded the Mayor's Report

Policy Issues

Minutes



1

Approval of minutes - for November 3, 2015.

Motion to Approve, Moved By Ella Holmes-Hines, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Planning / Code Enforcement

*Councilmember Cara Pucheu recused herself and left the room at this time.



2

Objection (Appeal) - regarding approval by the Planning Commission of a request to rezone property from R-2 to B-1; located south of W. Taylor Road, north of Bayou Bernard, west of and adjacent to Lorraine Road and east of Carl Legett Road — Case #1508PC051 — Ward 4.

*****Note: For complete discussion and motion, please see transcript attached:**

Motion to Uphold the Planning Commission's decision and Approve the rezoning, Moved By R.Lee Flowers, **Seconded By** Ricky Dombrowski and put to discussion.

Motion to Approve the extension of speaker time allowance from 3 minutes to 5 minutes, Moved By Myles Sharp, **Seconded By** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

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

The following individuals addressed the council:

- Mr. Virgil Gillespie, attorney representing the property owner.
- Mr. Kosta Valahos, attorney representing surrounding property owners.
- Mr. Joe Sam Owen, attorney representing surrounding property owners.
- Mr. Robert Schwartz, attorney representing surrounding property owners.
- Mr. Jacques Pucheu, developer for the proposed project.

Motion to withdraw original motion to approve, Moved By R.Lee Flowers, Seconded By Ricky Dombrowski

Motion to Remand back to the Planning Commission, Moved By Ella Holmes-Hines, Seconded By Kenneth Casey

Motion to Amend to include the following: that when it is remanded back to the Planning Commission, the record should be developed as to specifically show what steps were taken to look at the traffic conditions (what steps were taken to review the traffic), to ensure all procedures are followed, development plan to be submitted, an agreed amendment between the developer and community property owners submitted in writing, Moved By Myles Sharp, Seconded By Ella Holmes-Hines

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

Vote on the original motion as amended with the following results:

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

*****NOTE: FOR COMPLETE DISCUSSION AND MOTION, PLEASE SEE TRANSCRIPT ATTACHED:**



Ordinance - rezoning property from T5 (Urban Center Zone), to T4+ (General Urban Zone "Plus"), located north of Beach Drive, south of Township Road, east of Tegarden Road and west of and adjacent to Markham Drive - Case #1510PC071 - Ward 2.

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

Vote: Motion carried By the Following Roll Call Vote

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

Ordinance #2841



Ordinance - rezoning property from I-2 (Heavy industry), to I-1 (Light industry), located south of 34th Street, north of 28th Street, east of 39th Avenue and west of and adjacent to 34th Avenue - Case #1510PC073 - Ward 1.

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

Vote: Motion carried By the Following Roll Call Vote

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

Ordinance #2842



Code Enforcement Hearing - on resolution of declare that certain properties are in such a state of uncleanness 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 R.Lee Flowers, Seconded By Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote

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

The following citizens addressed the council:

- Mr. Tommy Howze, property owner of 9437 Creosote Road.
- Ms. Lettie Evans Caldwell, agent for property owner of 9439 Creosote Road.

*9439 Creosote was removed from the demolition list contingent upon the following: The yard is properly mowed (not bush hogged within 30 days of November 17, 2015 and the property (all opening) is safely secured. The agent was instructed to come back within 30 days with a building plan and the grant information for the restoration.

* Item # 33 shall be removed as it has already been brought into compliance.

Motion to Close the Hearing and Approve, Moved By Ella Holmes-Hines, **Seconded By** Kenneth Casey
Vote: Motion Carried By Unanimous Roll Call Vote
Aye: Kenneth Casey, Ricky Dombrowski, R.Lee Flowers, Ella Holmes-Hines, Cara Pucheu, Myles Sharp, Rusty Walker

Resolutions / Requests



6

Resolution - approving Revised Interlocal Governmental Cooperation Agreement between Biloxi and Gulfport for Fiber-Optic Infrastructure for municipal purposes and authorizing the Mayor to execute the same.

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

Motion to Table until the end of the meeting, Moved By Ella Holmes-Hines, **Seconded By** Kenneth Casey

Vote: Motion Carried By The Following Roll Call Vote

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

Absent: Ricky Dombrowski (out of room)

After the Routine Agenda:

Motion to take off the table, Moved By Myles Sharp, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

The President called for a vote on the original motion to Approve:

Vote: Motion Carried By Unanimous Roll Call Vote

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



7

Resolution - awarding the bid and contract for the City of Gulfport Oakleigh Manor - Retreat Village Water Improvements Project and authorizing the Mayor to execute the same.

Motion to Approve, Moved By R.Lee Flowers, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski (out of room)



8

Resolution - awarding bid and contract for the City of Gulfport Trenchless Pipe Inspection and Cleaning & Repair Unit Price Project and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, R.Lee Flowers, Ella Holmes-Hines, Cara Pucheu, Myles Sharp, Rusty Walker
Absent: Ricky Dombrowski (out of room)



9

Resolution - awarding bid and contract for the City of Gulfport Lyman Gravity Sewer Improvements Project and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Cara Pucheu, **Seconded By** R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski (out of room)



10

Resolution - awarding bid and authorizing contract for the Downtown Streetscape Alley Improvements Project, contingent upon approval and acceptance by Mississippi Development Authority and authorizing the Mayor to execute the same.

Motion to Approve, Moved By Kenneth Casey, **Seconded By** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

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



11

Resolution - by the Gulfport City Council formally requesting assistance of the Harrison County Board of Supervisors with respect to the re-surfacing portion of 34th Street from 39th Avenue to 34th Avenue and seeking approval of said request by the Board.

Motion to Approve, Moved By Kenneth Casey, **Seconded By** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

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



12

Resolution - by the Gulfport City Council formally requesting assistance of the Harrison County Board of Supervisors with respect to the re-surfacing portion of Indiana Avenue from West Railroad to Jackson Street and seeking approval of said request by the Board.

Motion to Approve, Moved By Ella Holmes-Hines, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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



13

Resolution - approving Amendment #1 to the Agreement between the City of Gulfport and Special Events Concession Services, LLC extending the term of the Agreement and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



14

Resolution - approving Change Order #1 to the Agreement with American Tennis Courts, Inc., for the Installation of 28th Street Basketball Court Project and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



15

Resolution - approving Addendum #2 to the City's Engineering Services Agreement with Pickering Firm, Inc., for the Landon Road Improvements Project to extend the period of the

Agreement and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



16

Resolution - approving Supplemental Agreement #2 for construction with TCB Construction Company on the Seaway Road Widening - West End Project and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



17

Resolution - approving Certificate of Substantial Completion for the Downtown Streetscape Improvements Project, Phase 2 and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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



18

Resolution - authorizing expenditure in support of the City of Gulfport's share of the Cassidy and Associates 2016 contract for consulting services to help protect our military facilities.

Motion to Approve, Moved By Ella Holmes-Hines, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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



19

Request - approval for enhanced pharmacy copay for health insurance participants.

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

Motion to Table until Executive Session, Moved By Myles Sharp, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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



20

Ordinance - Clarifying Ordinance No. 2795 and Ordinance No. 2836 which provided for cost of living adjustments for certain municipal employees and for base salary increases for certain employment positions.

Motion to Approve, Moved By Ella Holmes-Hines, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Cara Pucheu, Myles Sharp, Rusty Walker

Absent: R.Lee Flowers

Ordinance #2843



20A

Approval – of Amendment to the Services Agreement with Pan Isles, Inc.

Motion to amend prior contract to reflect insurance changes, Moved By Myles Sharp,
Seconded By Kenneth Casey
Vote: Motion Carried By Unanimous Roll Call Vote
Aye: Kenneth Casey, Ricky Dombrowski, R.Lee Flowers, Ella Holmes-Hines, Cara Pucheu,
Myles Sharp, Rusty Walker

Budget Amendments / Docket of Claims



21

Budget Amendment #8 to transfer funds within the 2014 Bond for Lyman Gravity Sewer Project and Oakleigh Manor/Retreat Village Water Improvements Project.

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

22

Budget Amendment #9 - to budget revenue received for a forfeiture resulting from a drug related arrest.

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

23

Budget Amendment #11 - to establish designated account for net BP settlement received in August 2015. Use of funds will be determined at a future date.

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

24

Budget Amendment #13 - to budget prior year auction proceeds back to the individual departments.

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

25

Budget Amendment #14 - to set up a due from and due to account for capital project account from an extended sponsorship agreement.

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



26

Docket of Claims - to be approved through November 18, 2015.

Motion to Approve in the amount of \$6,054,879.83, Moved By R.Lee Flowers, **Seconded By** Kenneth Casey
Vote: Motion Carried By Unanimous Roll Call Vote
Aye: Kenneth Casey, Ricky Dombrowski, R.Lee Flowers, Ella Holmes-Hines, Cara Pucheu, Myles Sharp,
Rusty Walker

**Routine Agenda**

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

- 27 Resolution - awarding bids for lot clean-ups and/or demolitions.
- Approved on Routine Agenda**
- 28 Associated Adjusters Check Register - for month of October, 2015 - to be made a part of the minutes.
- Approved on Routine Agenda**
- 29 Conveyance Deed - regarding transfer of ownership of space in Evergreen & Evergreen Gardens Cemetery - to be made a part of the minutes.
- Approved on Routine Agenda**
- 30 Public Records Requests- for the month of October 2015 - to be made part of the minutes.
- Approved on Routine Agenda**
- 31 Request - permission for advertisement and purchase of promotional Items - Leisure Services Department - to be made a part of the minutes.
- Approved on Routine Agenda**
- 32 Request - permission for purchase of promotional Items - Police Department - to be made a part of the minutes.
- Approved on Routine Agenda**
- 33 Request - permission for purchase of promotional Items - Urban Development Department - to be made a part of the minutes.
- Approved on Routine Agenda**
- 34 Request - permission for purchase of promotional Items - Human Resources Department - to be made a part of the minutes.
- Approved on Routine Agenda**
- 35 Request - permission for purchase of promotional Items - Fire Department - to be made a part of the minutes.
- Approved on Routine Agenda**
- 36 Letter of recommendation - regarding bids received by Purchasing for Dedeaux Road Well Replacement -- Public Works Department -- to be made a part of the minutes.
- Approved on Routine Agenda**
- 37 Letter of recommendation -- regarding bids received by Purchasing for Courthouse Road Drainage Project (Install Culverts) -- Public Works Department -- to be made a part of the minutes.
- Approved on Routine Agenda**
- 38 Letter of recommendation -- regarding bids received in Purchasing for Harrison Drive Drainage Project (Install Box Culverts) -- Public Works Department -- to be made a part of the minutes.

Approved on Routine Agenda

- 39 Letter of recommendation -- regarding bids received in Purchasing to Cut Down (2) Large Trees (3500 14th St. & 3406 14th St.) -- Public Works Department -- to be made a part of the minutes.

Approved on Routine Agenda

- 40 Letter of Recommendation - regarding Swat Team Equipment purchase from U.S. Communities for the Police Department - to be made a part of the minutes.

Approved on Routine Agenda

- 41 Letter - requesting an increase in petty cash operating fund for the Leisure Services Department.

Approved on Routine Agenda

- 42 Request - acceptance of donated material from Universal Concepts - to be made a part of the minutes.

Approved on Routine Agenda

- 43 Legal Notice - Request for Proposals for City Credit Card Services.

Approved on Routine Agenda

- 44 Legal Notice - Request for Proposals for Collection Services for Delinquent Utility Bills.

Approved on Routine Agenda

- 45 Legal Notice - Request for Proposals for City Depository Services.

Approved on Routine Agenda

- 46 Legal Notice - advertisement for bids for Gulfport Building Repairs and Construction Unit Price Project, 2016.

Approved on Routine Agenda

- 47 Legal Notice - advertisement for bids for Bayou View Ball Field Improvements.

Approved on Routine Agenda



Public Agenda

- **Citizen Forum – Thirty minutes shall be allowed for public input with a three minutes time limit on each speaker.**

- Mrs. Mary Anne Barkley, resident of 21 Keyser Lane
- Ms. Betty Jo Bittner, resident of 2227 Cane Avenue
- Ms. Rosemary Finley, resident of 2011 Lovers Lane, Long Beach MS
- Ms. Lettie Caldwell, agent for 9439 Creosote Road.

Council Comments

Memorial Adjournment

- Ms. Norma Wilson
- Mr. Michael Leroy Warren
- Mr. Fester Groves, Sr.
- Mr. Granville "Sonny" Maston

Agenda Adjustments

**Add Policy****Item #26-A**

Acceptance - of grant from the MS Department of Public Safety, Office of Homeland Security for the Fire Department, in the amount of \$40,000.00

Motion to Approve, Moved By Ella Holmes-Hines, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

**Add Policy****Item #26-B**

Request - for payment of invoice (by special check), in the amount of \$123,417.25 payable to Kappa Development & General Contracting, Inc., for services related to the Hatten Lane Sewer Improvements Project.

Motion to Approve, Moved By Myles Sharp, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Executive Session- Request for closed session to determine the need for executive session at the request of the Legal Department.

Upon advice of General Counsel, a motion was made by Councilmember Sharp, duly seconded by Councilmember Pucheu to close the meeting to determine the need for executive session.

Vote: Motion Carried By Unanimous Roll Call Vote

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

The Council entered closed session at 5:04 P.M. In attendance: Members of the Council: Casey, Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu, Mayor Billy Hewes, General Counsel Hugh Keating, Assistant City Attorney Margaret Murdock, Clerk of Council Ronda Cole and Deputy Clerk of Council Ashley Miller. The Council discussed the need to enter executive session to discuss potential litigation.

A motion was made by Councilmember Sharp, duly seconded by Councilmember Pucheu to come out of closed session and enter executive session at 5:08 P.M.

Vote: Motion Carried By Unanimous Roll Call Vote

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

A motion was made by Councilmember Holmes-Hines, duly seconded by Councilmember Casey to exit Executive session at 5:17 P.M.

Vote: Motion Carried By Unanimous Roll Call Vote

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

No official action was taken during Executive Session.

Upon reconvening in open meeting the following action was taken:

Motion made by Councilmember Myles Sharp, seconded by Councilmember Kenneth Casey, to authorize the Administration by and thru the Legal Department to seek injunctive relief, in the form of a temporary restraining order and preliminary and permanent injunctions, against Bailey Properties, Inc., to prevent electrical service to street lights in Fairfield III subdivision from being discontinued until such time as the subdivision is accepted by the City for perpetual maintenance and to authorize a special check in an amount up to \$5000.00, in payment of any cash bond that may be ordered by the Court.

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Cara Pucheu, Myles Sharp, Rusty Walker

Absent: R.Lee Flowers

Setting of Next Meeting and Adjournment

There being no further business to come before the Council, a motion was made by Councilmember Holmes-Hines, duly seconded by Councilmember Casey to adjourn in memory of Ms. Norma Wilson, Mr. Michael Leroy Warren, Mr. Fester Groves, Sr., and Mr. Granville "Sonny" Maston until December 8, 2015, at 1:30 P.M. for a regular council meeting.

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Cara Pucheu, Myles Sharp, Rusty Walker

Absent: R.Lee Flowers (out at 5:17 P.M.)

City Clerk

Mayor