



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, September 20, 2016

1:30 PM

*Gulfport City Hall
Council Chambers*

1:30 p.m.

The Mayor and Members of the Council met at City Hall at 1:30 P.M., on the above date, same being a recessed meeting from a special called meeting held on September 13, 2016 at 5:30 P.M. **Present:** Mayor Billy Hewes, General Counsel Hugh Keating, Councilmembers: 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

Motion to Approve the Agenda, with the Deletion of Item #19, Moved By Myles Sharp, Seconded by Ella Holmes-Hines

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.

Presentation of Service Pin:

- Detective Windell Johnson – Gulfport Police Department – 25 years of service!

Good News for Gulfport!

- Keith Williams, who serves as Chairman of our Planning Commission, was recently named the Outstanding Planning Commissioner for the State of Mississippi by the MS Chapter of the American Planning Association at the 2016 conference.

Upcoming:

- **Anchor Fest** – this Saturday and Sunday in Jones Park! Gulfport’s Cultural & Heritage Festival celebrating everything that makes Gulfport great!
 - FREE admission! Great music, historic wooden boats, history and industry displays, arts & crafts and music you won’t want to miss! Starts each day at 11 am til 7 pm!
 - There’s a children’s village sponsored by Utility Partners full of fun games for your little ones, a Pirate Costume Contest and wonderful local food vendors!
 - Music by Wayne Sharp & The Sharpshooter Band with special Guest, Lamar Williams; Voo Davis, The Chitlins, the Michael Vincent Band, MikeyB 3, Black Water Brass, Ben Loftin & Friends and more!
 - And as the Saturday night winds down, stay for **CINEMA BY THE SHORE and the showing of Pirates of the Caribbean!** On the grounds of Jones Park! Perfect way to wind down with your family! Movie starts at 7:30 pm!
- **Lt Governor Tate Reeves Town Hall Meeting** – this Thursday at the Lyman Community Center starting at 6 pm- open to the public!
- **Race for the Cure** – This Saturday! Walk begins at 8:30 am! Pre-walk activities begin in Jones Park at 6:30 am and the walk will start in front of the Downtown Post Office!
- **Heart Walk** – the Heart Walk will take place on Saturday, October 1 – staging and start will be in Jones Park! Walk will take place on Second Street!
- **View the Cruise-** Cruisin’ the Coast is about 10 days away and we are gearing up for a record year! Come kick off the Cruisin’ week in Downtown Gulfport for View the Cruise on Sunday, October 2! Come early and get the perfect spot with your classic car! Live entertainment, all of our restaurants and bars open and ready to serve you! Cars will start arriving as early as 8 am!
- **Fishbone Alley Ribbon Cutting** – Sunday, October 2 at 1:00 pm at the north entrance to Fishbone Alley on 14th Street!

Next Tuesday, **Paul Bertucci** from FEB Distributing will become **President of the National Beer Wholesaler’s Association**

This concluded the Mayor's Report.

Policy Issues**Minutes / Resolution**

- 1 Approval of minutes - for September 6 & 13, 2016.

Motion to Approve September 13, 2016 Minutes Only, Moved By R.Lee Flowers, **Seconded by** Ella Holmes-Hines

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

- 2 Resolution - authorizing and approving the engagement of and contracting with Horne LLP, a certified Public Accounting and Advisory Firm, to review the current condition of Memorial Hospital at Gulfport's Behavioral Health assets and for related purposes.

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

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

Code Enforcement / Ordinances

- 3 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 Hearing, Moved by R.Lee Flowers, **Seconded by** Kenneth Casey

Motion to Close Hearing and Approve Resolution, Moved By Ella Holmes-Hines, **Seconded by** Cara Pucheu

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

- 4 Ordinance - to rezone parcel from T6 (Urban Core Zone) to T4+ (General Urban Zone), located north of and adjacent to Ocean View Drive, south of and adjacent to Township Road, east of Oleander Drive, and west of Cowan Road, Case #1608PC097 - Ward 2.

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

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

Ordinance # 2865

- 5 Ordinance - to rezone tax parcel from B-2 (General Business) and R-2 (Single Family) to entirely B-2, located north of and adjacent to Pass Road , south of Lindhrigde Road, east of Lindh Road, and west of Oakleigh Avenue, Case # 1608PC102 - Ward 5.

Motion to Adopt the Ordinance, Moved By Myles Sharp, **Seconded by** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote

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

Ordinance #2866

- 6 Ordinance - to rezone tax parcels from R-1-5 (Single Family) to I-1 (Light Industrial), located north of and adjacent to John Hill Boulevard, south of Wilkes Street, east of Georgia Avenue, west of Hangar Street, Case # 1608PC104 - Ward 3.

Motion to Adopt the Ordinance, 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, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Ordinance #2867

- 7 Ordinance - to rezone a tax parcel from R-B (Residential Business) to B-2 (General Business), located north of and adjacent to Pass Road, south of and adjacent to 36th Street, east of and adjacent to Washington Avenue, and west of Jackson Avenue Case # 1608PC106 - Ward 4.

Motion to Adopt the Ordinance, Moved by Cara Pucheu, **Seconded by** Ricky Dombrowski **and put to Discussion**

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

Vote: Motion Carried By the Following Roll Call Vote

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

Nay: Ricky Dombrowski

- 8 Ordinance - providing for salary of compensation increases for certain and various employees of the City of Gulfport and for related purposes.

Motion to Adopt, Moved By Myles Sharp, **Seconded by** Kenneth Casey

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

Ordinance #2868

Resolutions / Requests

- 9 Resolution - approving the third amended and restated by-laws of the Gulfport Redevelopment Commission and for related purposes - first reading at the August 16, 2016 meeting - introduced by Councilmember Dombrowski.

Motion to Bring Off Table, 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, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Motion to Approve Final Version as Presented, Moved By Ricky Dombrowski, **Seconded by** Kenneth Casey

Vote: Motion Carried By The Following Call Vote

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

Nay: Cara Pucheu

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

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

Motion to Table Until After Executive Session, Moved By R.Lee Flowers, **Seconded by** Rusty Walker

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

- 11 Resolution - approving contract with Crowder Gulf as the City of Gulfport's debris removal contractor and authorizing the Mayor to execute the same.

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, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 12 Resolution - approving Collaboration Agreement between the City of Gulfport and Mississippi Regional Housing Authority VIII to conduct a Regional Affirmatively Further Fair Housing Assessment under the Lead of MRHAVIII, and authorizing Mayor to execute same.

Motion to Approve, Moved By Ella Holmes-Hines, **Seconded by** Kenneth Casey **And put to Discussion**

Motion to Table, Moved By Cara Pucheu, **Seconded by** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote

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

Motion to Suspend the Rules, Moved By Ella Holmes-Hines, **Seconded By** Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote

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

Note: Please find the following taken after the Public Agenda portion of the meeting.

Motion to Take Resolution off the Table, Moved By Ella Holmes-Hines, **Seconded By** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski (out of the room)

Councilmember Ella Holmes-Hines called the question

Vote: Motion Carried By The Following Roll Call Vote

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

Nay: Myles Sharp and Cara Pucheu

Abstain: Rusty Walker

Absent: Ricky Dombrowski (out of room)

- 13 Resolution - accepting the 2016 CDBG and HOME Funding Grant Agreements from US Department of Housing and Urban Development and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By The Following Vote

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

Nay: Myles Sharp and Cara Pucheu

Absent: Rusty Walker

- 14 Resolution - approving Change Order #2 to Agreement with Greater Gulf Development, LLC, for the Oakleigh Manor and Retreat Village Water Improvements Project, authorizing the Mayor to execute same, and for related purposes.

Motion to Approve, Moved By R.Lee Flowers, **Seconded by** Ricky Dombrowski

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

- 15 Resolution - approving Change Order # 3 to Agreement with SCI, Inc. for the Lyman Gravity Sewer Improvements Project, authorizing the Mayor to execute the same, and for related purposes.

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

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

- 16 Resolution - accepting the Alcohol Countermeasure Grant #405D-2017-MD-2141, and authorizing the Mayor to execute same.

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

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

- 17 Resolution - accepting FY2016 Edward Byrne Memorial Justice Assistance Grant Program Grant (JAG), and authorizing the Mayor to execute same.

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

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

- 18 Request - approving road closure of certain streets within downtown Gulfport to accommodate View the Cruise September 30 - October 3, 2016.

Motion to Authorize requested street closure, Moved By Ricky Dombrowski, **Seconded by** R.Lee Flowers

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

- 19 Request - from Gulfport Main Street for an expenditure for Cruisin the Coast's View the Cruise event scheduled for Sunday, October 2, 2016, also a request for a special check.

Deleted from Agenda

- 20 Request - for a variance to build a second story balcony overhanging a public right-of-way located at 2421 14th Street, also approval of a Hold Harmless Agreement.

Councilmember Ricky Dombrowski recused himself and removed himself during the discussion and vote on this request.

Motion to Approve, Moved By Kenneth Casey, Seconded By Myles Sharp and put to discussion.

Motion to Table Moved By Ella Holmes-Hines, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski

***Note: The following action was taken after the Public Agenda portion of the meeting.**

Motion to Take off Table, Moved By Ella Holmes-Hines, Seconded by R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski

Councilmember Ella Holmes-Hines called the question, the President called for a vote on the original Motion to Approve

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski

Docket of Claims

- 21 Docket of Claims - to be approved through September 21, 2016.

Motion to Approve the Docket of Claims, in the amount of \$2,127,662.42, 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, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Routine Agenda

Motion to Approve Routine Agenda as Presented, Moved By Cara Pucheu, **Seconded by** R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski

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

Approved on the Routine Agenda.

- 23 Acceptance - of House Bill 1767 regarding local and private legislation related to the Gulfport Redevelopment Commission ability to enter into long term leases - to be made a part of the minutes.

Approved on the Routine Agenda.

- 24 Acceptance - of donated perpetual drainage and utility easements from Brumfield and Taylor for Poplar Circle/Chamberlain Avenue Sewer Project - to be made a part of the minutes.

Approved on the Routine Agenda.

- 25 Acceptance of donated perpetual sidewalk easement from Warr Properties, LLC - to be made a part of the minutes.

Approved on the Routine Agenda.

- 26 Acceptance - of donated sewer easements from Morrison and Hopkins for Morrison Sewer Project (including Amended and Corrected Easement from Morrison) - to be made a part of the minutes.

Approved on the Routine Agenda.

- 27 Acceptance of donated drainage easements from Hewes, Murdock and Bailey for Hewes Avenue Drainage Project - to be made a part of the minutes.

Approved on the Routine Agenda.

- 28 Acceptance - of donated easements from Clark, Ward and Mladinich for Bayou Bernard Waterline Installation Project - to be made a part of the minutes.

Approved on the Routine Agenda.

- 29 Acceptance - of donated quitclaim deed from RWB, SR., LLC, for Taylor Road Project - to be made a part of the minutes.

Approved on the Routine Agenda.

- 30 Associated Adjusters Check Register - for the month of August, 2016 - to be made part of the minutes.

Approved on the Routine Agenda.

- 31 Privilege Licenses Report - for the month of August, 2016 - to be made a part of the minutes.

Approved on the Routine Agenda.

- 32 Biweekly Pay Distribution Journals - for the month of August, 2016 - to be made part of the minutes.

Approved on the Routine Agenda.

- 33 Year to Date Budget Report - for month ending August 31, 2016 - to be made part of the minutes.

Approved on the Routine Agenda.

- 34 Letter - regarding the purchase of a storage shelter for Golf Course - Leisure Services.

Approved on the Routine Agenda.

- 35 Letter - requesting a change fund, in the amount of \$2,000.00 for the 2016 Harbor Lights Festival.

Approved on the Routine Agenda.

- 36 Letter - requesting permission to issue purchase order for Smith and Wesson MP15 Rifles - Police Department - to be made a part of the minutes.

Approved on the Routine Agenda.

- 37 Legal Notice - advertisement for RFP for Professional Probation Services for the Gulfport Municipal Court System

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 citizens addressed the Council at this time.

Mr. Howard Page, representative of the Steps Coalition.

Dr. Brenda Matthews, on behalf of Mrs. JoAnn Johnson, resident of 1020 Lewis Avenue.

This concluded the Public Agenda.

Council Comments

Memorial Adjournment

- **Mr. Jessie Harrison**
- **Ms. Laurie Ann Dukes Symmes**
- **Sister Margaret Whitley**
- **Mr. Michael Wayne Parrott**
- **Ms. Patricia Rand**

Executive Session

Upon advise of General Counsel, Motion to Enter Executive Session at 3:59 P.M., Moved By Myles Sharp, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

The Council entered executive session at 3:59 P.M. In attendance: Members of the Council: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers and Cara Pucheu; Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, Urban Development Director Greg Pietrangelo (out at 4:28 P.M.), Clerk of Council Ronda Cole and Deputy Clerk of Council Cheryl Germany. The Council entered executive session to discuss lease on the Struthers property and the status on the negotiated terms previously presented and an economic development matter.

Motion to exit Executive Session at 4:44 P.M., Moved By Myles Sharp, Seconded by Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote

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

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

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

Motion to Bring Policy Item #10 (Lease Agreement with John c. Robinson Brown Condor Association) off the Table, Moved By Myles Sharp, Seconded By Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

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

Amendment to Approve as Presented and authorize the Mayor to terminate if the Board of the John C. Robinson Brown Condor Association does not accept final negotiations by close of business, Friday, September 23rd, Moved By Myles Sharp, Seconded By R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

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

The President called for a vote on the Motion to approve as Amended with the following results:

Vote: Motion Carried By The Following Roll Call Vote

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

Nay: R.Lee Flowers

Motion to amend the Struthers settlement agreement by deleting the security provision of tenant to notify GRC upon entering and exiting the site and sets the time for an additional (45) forty-five days from the date of the release, Moved By Ella Holmes-Hines, Seconded By Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote

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

Nay: R.Lee Flowers

Setting of Next Meeting and Adjournment

There being no further business to come before the Council, Motion to adjourn in memory of Mr. Jessie Harrison, Ms. Laurie Ann Dukes Symmes, Sister Margaret Whitley, Mr. Michael Wayne Parrott and Ms. Patricia Rand, until 1:30 p.m., October 4, 2016 for a regular council meeting, Moved By Ella Holmes-Hines, Seconded By Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote:

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

City Clerk

Mayor