



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, October 6, 2015

1:30 PM

*Gulfport City Hall
Council Chambers*



1:30 p.m. Invocation, Pledge of Allegiance, Call to Order

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 September 29, 2015 at 5:30 P.M. **Present:** Mayor Billy Hewes, General Counsel Hugh Keating, Councilmembers: Kenneth Casey, Ricky Dombrowski (out at 3:52 P.M.), Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers (out at 3:25 P.M.), 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 Holmes-Hines to accept the agenda with the following adjustments: Add Policy Item 21-A - Resolution by the Gulfport City Council to approve "Special Check" to Lyman Utilities, Inc., in payment of judgment on eminent domain matter, and for related purposes; Add Policy Item 21-B – Ordinance to revise, amend and modify certain sections and parts of the City of Gulfport Sign Ordinance; and postpone Policy Item #12 to the October 20th agenda.

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



Presentation Agenda

• Mayor's Report

*Mayor Billy Hewes welcomed everyone to the meeting and asked for prayers for City Engineer Kris Riemann and Procurement Specialist Connie Debenport.

*Crusin' the Coast brought record crowds of over 20,000 people to the coast this past week. Our very own Chief Papania represented the Police Department with a 1964 Ford Fairlane Police Car.

*The Mayor proclaimed October as City of Gulfport Domestic Violence Awareness Month. He also presented two proclamations; celebrating the 27th year of Coastal Clean-Up and proclaiming October 17th as Gulfport, Mississippi Coastal Clean-Up Day.

*Mayor Hewes reported Anchor Fest was a success and gave special thanks to City staff members on their

hard work.

*The Mayor called upon Fire Chief Beyerstedt who announced that the Fire Department hosted 1,400 students in observation of fire prevention month.

*Mayor Hewes expressed his appreciation to the GRC for all their hard work on the Aquarium.

* CAO Dr. John Kelly and Mayor Billy Hewes recently returned from Copenhagen, Denmark on a grant sponsored trip exploring best practices ideas. Mayor Hewes reported that the trip was a great experience.

This Concluded the Mayor's Report.



Aquarium Presentation – David Hardy

Policy Issues

Minutes



1

Approval of minutes - for September 22 & 29, 2015.

Motion to Approve, Moved By Cara Pucheu, **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 Sharp and Cara Pucheu

Code Enforcement / Planning



2

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 Cara Pucheu, **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 Sharp and Cara Pucheu

Motion to Close the hearing and Approve the Resolution, 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 Sharp and Cara Pucheu

3

Final Acceptance - of Florence Gardens Subdivision, Phase 3A-2 - of public improvements; transfer of streetlight account and release of warranty bond - Case # 1408PC053.

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

Resolutions

4

Resolution - approving Interlocal Governmental Cooperation Agreement between the cities of Biloxi and Gulfport, Mississippi for development of Regional Fiber Optic Infrastructure for Ultra-High-Speed Internet and Broadband Service, and for related purposes.

Motion to Approve, 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 Sharp and Cara Pucheu



5

Resolution - by the Gulfport City Council to urge and memorialize the Mississippi Legislature to appropriate funding to the Southern Mississippi Planning and Development District to assist with costs associated with attempts by the three coastal counties to mitigate the negative impacts of the Biggert-Waters Flood Insurance Reform Act of 2012 and for related purposes.

Motion to Approve, Moved By Cara Pucheu, **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 Sharp and Cara Pucheu



6

Resolution - approving Professional Legal Service Contract with William W. Satterfield, Esq., to serve as a Public Defender in the Gulfport Municipal Court and authorize 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

7

Resolution - approving Workforce Development Training Agreement with Mississippi Gulf Coast Community College for training services for employees of the City of Gulfport and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Recused: R.Lee Flowers



8

Resolution - approving Fifth Amendment to License Agreement Between Utility Service Communications Co., Inc. (Licensor) and New Cingular Wireless, PCS, LLC, (Licensee) Allowing for Addition and Removal of Certain and Various Pieces of Equipment on Gulfport's Water Tank Located at 49 51st Street.

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



9

Resolution - authorizing the Gulfport Police Department to participate in the 2015 Bulletproof Vest Program through the Department of Justice, Office of Justice Programs.

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, R.Lee Flowers, Ella Holmes-Hines, Cara Pucheu, Myles Sharp, Rusty Walker



10

Resolution - approving 2015 CDBG Public Service Agreement for South Mississippi AIDS Task Force Agreement.

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



11

Resolution - approving extension of Agreements for Legal Services with Dukes, Dukes, Keating & Faneca, PA, and Heidelberg, Steinberger, Colmer & Burrow, PA, for legal services in connection with the defense of Workers' Compensation Claims.

Note: At this time, General Counsel Hugh Keating recused himself and removed himself from the Council Chambers during the discussion and vote on this item.

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

Motion to Table, Moved By Ella Holmes-Hines, **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

Motion to take item off the Table, Moved By Cara Pucheu, **Seconded By** Myles Sharp

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 with the following results:

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 reaffirming their intent and requesting the Administration to pursue collections of overdue accounts under the City of Gulfport Code of Ordinances Sections 11-64 through 11-67 and for related purposes.

No Action Taken

Budget Amendments / Docket of Claims



13

Budget Amendment #1 - to transfer funds for Dedeaux Utilities Acquisition.

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

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

Budget Amendment #2 - to transfer funds into new accounts for the FY2016 water and sewer projects.

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

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

Budget Amendment #3 - to fund a contribution for the Annual Mississippi American Public Works Association Conference for advertising - also a request for a special check.

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

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

Motion to reconsider, 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, Cara Pucheu, Myles Sharp, Rusty Walker

Note: Councilmember Myles Sharp recused himself and removed himself from the Chambers during the discussion and vote on this item:

Motion to Approve sponsorship in the amount of \$1,200.00 for advertisement and authorize special check, Moved By R.Lee Flowers, **Seconded By** Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp (recuse)



16

Docket of Claims - to be approved through October 7, 2015.

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

Requests



17

Letter - Requesting intergovernmental equipment transfer of light fixtures to Gulfport High School.

Motion to Approve, Moved By Kenneth Casey, **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



18

Letter - Requesting intergovernmental equipment transfer of lawn equipment to Hancock High School.

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



19

Letter - Requesting intergovernmental equipment transfer of lawn equipment to Harrison County.

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



20

Request - from Laurie Toups, Main Street Director to place a 15 minute parking sign in front of Quality Bakery.

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



21

Acceptance - of proposal submitted for auditing services for the City of Gulfport for fiscal years 2015-2016 and authority to enter into Agreement for the same.

Based upon the total accumulation of scores from proposals submitted, Motion to Accept the proposal of Wright, Ward, Hatten and Guel for auditing services for fiscal years 2015 and 2016 and authorize entering into Agreement for same , Moved By Myles Sharp, **Seconded By** Cara Pucheu

Vote: Motion Carried By the Following Roll Call Vote

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

Nay: R.Lee Flowers



21-A

Resolution by the Gulfport City Council to approve “Special Check” to Lyman Utilities, Inc., in payment of judgment on eminent domain matter, and for related purposes.

Motion to Approve, Moved By Myles Sharp, **Seconded By** Cara Pucheu

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

21-B



Ordinance – to revise, amend and modify certain sections and parts of the City of Gulfport Sign Ordinance.

Motion to Bring off the Table, Moved By R.Lee Flowers, **Seconded By** Rusty Walker

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

Amendment to delete the GRC from Section 9-106 as an exempted organization, Moved By R.Lee Flowers, **Seconded By** Myles Sharp

Vote: Amendment 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, as amended with the following results:

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

Ordinance #2837



Routine Agenda

Motion to Approve the Routine Agenda as presented, Moved By R.Lee Flowers, Seconded By Cara Pucheu

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

Approved on Routine Agenda

23 Legal Notice - advertisement for RFP's for Janitorial Services for City of Gulfport.

Approved on Routine Agenda

24 Legal Notice - advertisement for RFP's for Security Guard Services.

Approved on Routine Agenda

25 Legal Notice – advertisement for RFP's for Engineering Services related to O'Neal Road Improvements Project - Flat Branch to Three Rivers Road.

Approved on Routine Agenda

26 Legal Notice - advertisement for bids for Pass Road Traffic Control System Improvements Project.

Approved on Routine Agenda

Public Agenda

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



Council Comments



Memorial Adjournment

- "Coach" Bert Jenkins
- Mr. John Heigh Des Angles
- Mr. Tyler Debenport



Executive Session

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, Ella Holmes-Hines, Rusty Walker , Myles Sharp, R.Lee Flowers, Cara Pucheu

The Council entered closed session at 3:10 P.M. In attendance: Members of the Council: Casey, (in at 3:16 P.M.), Dombrowski (out at 3:52 P.M.), Holmes-Hines, Walker, Sharp, Flowers (out at 3:35 P.M.), Pucheu; Mayor Billy Hewes (in at 3:17 P.M.), General Counsel Hugh Keating, CAO John Kelly, Architect David Hardy, Ms. Margaret Jo Frazier, Clerk of Council Ronda Cole and Deputy Clerk of Council Ashley Miller. The Council discussed the need to enter executive session to discuss settlement authority on a property claim involving damage to city vehicle and matters relating to economic development issue.

A motion was made by Councilmember Sharp, duly seconded by Councilmember Pucheu to come out of closed session and enter executive session at 3:15 P.M.

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Kenneth Casey (out of room)

A motion was made by Councilmember Holmes-Hines, duly seconded by Councilmember Casey to exit Executive session at 3:58 P.M.

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski and R.Lee Flowers

No official action was taken during Executive Session.

Upon reconvening in open meeting the following action was taken:

A motion was made by Councilmember Sharp, duly seconded by Councilmember Casey to authorize the Administration, by and through the Legal Department, to pursue a claim against Carol B. Kais, including filing of a lawsuit for any and all damages sustained by the City in an automobile accident which occurred on June 22, 2015.

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Ricky Dombrowski and 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 "Coach" Bert Jenkins, Mr. John Heigh Des Angles, Mr. Tyler Debenport and Ms. Marguerite Holder until October 20, 2015 at 1:30 P.M. for a regular council meeting.

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Kenneth Casey, Myles Sharp

City Clerk

Mayor

Teleconference Notice

The Gulfport City Council will hold its regularly scheduled meeting on Tuesday, October 6, 2015. The meeting will be held at 1:30 PM in the Council Chambers at Gulfport City Hall (2309 15th Street, Gulfport, MS) where participation is available to the general public.

Notice is hereby given the Councilwoman Ella Holmes Hines may attend some or all of the hearing and meeting via teleconference. The public is advised that any interruption in the teleconference of the meeting shall result in the suspension of action at the meeting until repairs are made and public access restored.

Note: Teleconference was not needed for the meeting, Councilwoman Ella Holmes-Hines was present.

Interpreter Service:

The City of Gulfport will make every effort to have an interpreter present at regularly scheduled City Council meetings to provide services for citizens that may be hearing impaired.

In the event interpreter services are required for any special called meetings, please notify the Council Office at councilclerkemail@gulfport-ms.gov at least 3 days prior to the noticed meeting.

Agenda Adjustments

Add Policy Item #21-A – Resolution by the Gulfport City Council to approve “Special Check” to Lyman Utilities, Inc., in payment of judgment on eminent domain matter, and for related purposes.

Add Policy Item #21-B – Ordinance by the Gulfport City Council to revise, amend and modify certain sections and parts of the City of Gulfport Sign Ordinance.

Postpone Policy Item #12 – until the October 20th council meeting, at the request of the Administration.