



City of Gulfport, Mississippi

Minutes

City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, December 6, 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 regular council meeting held on November 22, 2016 at 1:30 P.M.
Present: Council Members: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu and General Counsel Hugh Keating.
Absent: Mayor Billy Hewes.

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

Agenda Order Confirmation or adjustment of the agenda order

Motion to Accept Agenda with the Deletion of Item #5 (at the request of Administration), Correction of Previously Approved Ordinance #2861, and Deletion of Item #26 (at the request of Administration), Legal Notice for Bids of Repair to Sportsplex Marquee Sign, 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

Motion to Approve with Verification of Correction to Item #2, Appeal, to read "Zoning Board", rather than "Planning Commission", 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 Flowers, Cara Pucheu

Presentation Agenda

- **The Mayor's Report**

The President called for the Mayor's Report, which was offered by CAO John Kelly in the Mayor's absence.

Proclamation was offered to Michael and Mary Sunderman, and the staff of South Mississippi

Living Magazine in honor of the magazine's 10th Anniversary. Coast Living Magazine has captured the essence of life and fun along the Mississippi Gulf Coast and the City of Gulfport is honored to present this recognition.

Elaine Wilkinson provided an update on behalf of the Gulf Regional Planning of the NCBC Joint Land Use Study.

The Harbor Lights display continues nightly through January 2, weather permitting. Note is given that trolleys are available for those preferring, or who unable to walk the duration of the exhibition.

Christmas Vacation will be shown on the evening of December 9th starting at 6:00 P.M. In conjunction the Tackiest of Tacky Sweater Contest will be held during the evening.

Christmas on the Bayou is scheduled for Saturday, December 10th, with viewing along the bayou at Kremer's Landing, The Dock and various other locations in the vicinity. The parade starts at 6:00 P.M. in Gulfport Lake.

This concluded the Mayor's Report.

Policy Issues

Minutes

- 1 Approval of minutes - for November 22, 2016.

Motion to Approve the minutes of November 22, 2016, 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

Code Enforcement / Ordinances / Planning

- 2 Appeal - regarding denial by the Zoning Board of a request for a variance for the construction of a carport at 2714 George Street zoned R-1-10 (Single-Family): located north of E David Drive, south of and adjacent to George Street, east of Pine Hills Drive, and west of Turnberry Cove - Case# 1609ZB118 - Ward 6.

Motion to Suspend the Rules, 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

Motion to Uphold the Zoning Board recommendation (denying variance), Moved By R.Lee Flowers, Seconded by Ella Holmes-Hines

Vote: Motion Carried By The Following Vote

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

Nay: Kenneth Casey

Note: Appeal is denied.

- 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 the Code Enforcement Hearing, Moved By R.Lee Flowers, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Myles Sharp (out of room)

Motion to Close the Hearing and 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, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp (out of room)

- 4 Ordinance - rezoning property from T5 (Urban Center Zone) to T6 (Urban Core Zone): located north of West Railroad Street, south of and adjacent to 16th Street, east of and adjacent to 30th Avenue, and west of 29th Avenue - Case #1610PC133 - 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 #2881

- 5 Correction - of previously approved Ordinance #2861, amending tax parcel number on zoning map amendment.

DELETED

- 6 Ordinance - re-establishing polling places for voting precincts 5A and 5B for future municipal elections.

Motion to Adopt the Ordinance 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 2882

- 7 Final Acceptance - of Fairfield Subdivision, Phase III for perpetual maintenance and transfer of streetlight account.

Motion to approve final acceptance of Fairfield Subdivision, Phase III and authorize transfer of streetlight account, 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 Flowers, Cara Pucheu

Resolutions

- 8 Resolution - approving petition by Goldin Metals, Inc. for a Freeport Warehouse License and a Municipal Ad Valorem Tax Exemption, not to include school district taxes for a period of five (5) years on personal property shipped out of state during each calendar year pursuant to Miss. Code (1972) Ann., as amended Sec. 27-31-51, et seq.

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

- 9 Resolution - approving Engineering Services Contract with Brown, Mitchell, and Alexander, Inc. for engineering services related to the Airport Rd. Extension to Washington Ave. Project; and authorizing the Mayor to execute the same.

Motion to Approve, 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

- 10 Resolution - approving Award to Advanced Construction & Development, LLC, for Construction of Herring Road Water and Sewer Main Improvements Project, approving Contract for said work, 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, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

- 11 Resolution - approving Change Order #1 to Agreement with Miller Enterprises, LLC, for the Poplar Circle and Chamberlain Avenue Sewer Improvements Project, 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 - accepting a grant from the Mississippi Department of Public Safety for funding for the Coastal Narcotics Enforcement Team and authorizing execution of any and all documents and for related purposes.

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 Flowers, Cara Pucheu

- 13 Resolution - accepting Homeland Security #S16HS202T in the amount of \$100,000.00, and authorizing the execution of any and all documents required to accept the same, and for related purposes.

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

- 14 Resolution - accepting Homeland Security Grant #A16HS202T in the amount of \$8,000.00, and authorizing the execution of any and all documents required to accept the same, and for related purposes.

Motion to Approve, Moved By Ricky Dombrowski, **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

- 15 Resolution - accepting Mississippi Office of Homeland Security Grant #B15HS202T, and authorizing the execution of any and all documents required to accept the same, and for related purposes.

Motion to Approve, Moved By Ricky Dombrowski, **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

- 16 Resolution - approving donation of funds (in the form of a permit fee waiver) by the City of Gulfport to Habitat for Humanity of the Mississippi Gulf Coast in the City of Gulfport, and for related purposes.

Motion to Approve waiver of permit fees, Moved By Ricky Dombrowski, **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

- 17 Resolution - authorizing an Expenditure for Advertising by the Gulfport City Council for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport at Cruisin' The Coast 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

- 18 Resolution - accepting donation of real property from Bailey Properties, Inc., and for related purposes.

Motion to Accept Donation, 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 Flowers, Cara Pucheu

- 19 Recommendation - requesting approval of Lease Terms for Sportsplex Lighting System.

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

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

Budget Amendments / Docket of Claims

- 20 Budget Amendment #8 - to budget revenue received from a forfeiture from a drug related arrest.

Motion to Approve Budget Amendment, 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 Flowers, Cara Pucheu

- 21 Docket of Claims - to be approved through December 7, 2016.

Motion to Approve Docket of Claims, in the amount of \$3,414,379.69, 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

Routine Agenda

Motion to Approve the Routine Agenda as Amended (deletion of Item #26), Moved By R.Lee Flowers, **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

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

Approved on the Routine Agenda.

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

Approved on the Routine Agenda.

- 24 Public Records Requests - for the month of October 2016- to be made part of the minutes.

Approved on the Routine Agenda.

- 25 Letter - regarding bid awarded by Purchasing for a Cutter Drum - Public Works Department - to be made a part of the minutes.

Approved on the Routine Agenda.

- 26 Legal Notice - advertisement for bids for repairs to the Sportsplex Marquee Sign - Leisure Services.

Deleted

Public Agenda

- **Citizen Forum - Up to thirty minutes shall be allowed for public input with a three minute time limit on each speaker.**
- **No citizens participated in the Forum.**

This concluded the Public Agenda.

Council Comments

Memorial Adjournment

- **Mrs. Lois Smith Davis**
- **Mr. Charlie Odom**
- **Mr. Rosendo Arroyo Boussio**

Executive Session

Upon hearing from General Counsel the following reasons and recommendation for executive session, Motion to Enter Executive Session at 3:24 P.M, 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

The Council entered executive session at 3:24 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; CAO Dr. John Kelly, General Counsel Hugh Keating, Assistant City Attorney Margaret Murdock, Assistant City Attorney Dustin Uselton, City Attorney Jeff Bruni, Director of Engineering, Kris Riemann, Director of Leisure Services David D'Aquila, Clerk of Council Ronda Cole and Deputy Clerk of Council Cheryl Germany. The Council discussed the need to enter executive session to discuss a vacation of right-of-way, discuss proposed Use Access License Agreement leased to Miss. Coast Entertainment, LP, and discuss probable lease agreement for Bait Shop located at Gulfport Harbor.

Motion to Exit Executive Session at 4:26 P.M., 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

General Counsel Hugh Keating stated no official action was taken in Executive Session.

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

Motion to authorize a second appraisal with Everette Ladner III/Ladner Appraisal Group, Inc., for the potential lease with Cellular South Real Estate, Inc., to install, operate and maintain certain radio communications equipment, 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

Motion to approve the proposed "Use Access License Agreement" for property currently leased to Mississippi Coast Entertainment, LP for purposes of event parking and pedestrian access to the City's Christmas Light Festival and other surrounding public areas; to authorize expenditure and payment of \$400.00 from the City's general fund for payment of the \$400.00 use fee required under this Agreement; and to authorize the Mayor to execute this Agreement on behalf of the City, Moved by Myles Sharp, Seconded by Ricky Dombrowski

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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

Setting of Next Meeting and Adjournment

There being no further business to come before the Council at this time, Motion to adjourn in memory of Mrs. Lois Smith Davis, Mr. Charlie Odom and Mr. Rosendo Arroyo Boussio until 1:30 P.M. December 22, 2016 for a regularly scheduled council meeting, 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

City Clerk

Mayor