



City of Gulfport, Mississippi

Minutes

City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, January 3, 2017

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 December 20, 2016 at 1:30 P.M.

Present: Mayor Billy Hewes; General Counsel Hugh Keating; Council Members Kenneth Casey (out at 3:24 P.M.), Ricky Dombrowski, Ella Holmes-Hines (out at 3:45 P.M.), Myles Sharp, R.Lee Flowers, Cara Pucheu. **Absent:** Rusty Walker.

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

The meeting commenced in honor of Sgt. Maj. Jeffrey Hulum, III.

Agenda Order Confirmation or Adjustment of the Agenda Order

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Rusty Walker

Presentation Agenda

- **Mayor's Report**

The Vice-President called for the Mayor's Report.

The Mayor offered Happy New Year's wishes on behalf of the staff and council.

The Mayor called on David D'Aquila to give a preliminary wrap-up of the Christmas Harbor Lights Festival. D'Aquila noted that benchmark numbers for attendance were exceeded for 2016, and that final receipt totals are currently being calculated.

The City received notification on January 3, 2017 that the Mississippi Gulf Coast has been designated as one of the "Ten Best Places to Retire" in the U.S., by WeGoPlaces Tourism and best-place-to-retire.com. They asked over 20,000 retirees what they look for in a retirement

location, and identified the top 10 locations that matched their answers. We are indeed fortunate to have been one!

Policy Issues

Minutes

- 1 Approval of minutes - for December 20, 2016.

Motion to Approve the Minutes, 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, Myles Sharp, R.Lee Flowers, Cara Pucheu
Absent: Rusty Walker

Code Enforcement

- 2 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 Cara Pucheu, **Seconded by** Kenneth Casey

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

There being no one present to object, Motion to Close the Code Enforcement Hearing and Approve the Resolution, Moved By Cara Pucheu, **Seconded by** Kenneth Casey

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

Resolutions / Recommendations

- 3 Resolution - declaring intention of the City Council of the City of Gulfport, Mississippi, to sell the Memorial Behavioral Health Assets; determining and stating

reasons why such a sale is in the best interests of persons living in the area served by Memorial Hospital at Gulfport and the Memorial Behavioral Health Assets; establishing the requirements for proposals for the sale, the minimum required terms of all respondents and the evaluation process; approving issuance of the Request For Proposals; directing publication of the Resolution and the Request For Proposals; 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, Myles Sharp, R.Lee Flowers, Cara Pucheu

Absent: Rusty Walker

- 4 Recommendation - approving Preferred Alternative "F" for the Landon Road Improvements Project.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Rusty Walker

- 5 Resolution - approving Memorandum of Understanding between the City of Gulfport and the Harrison County Board of Supervisors regarding the widening of Landon Road 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, Ricky Dombrowski, Ella Holmes-Hines, Myles Sharp, R.Lee Flowers, Cara Pucheu

Absent: Rusty Walker

- 6 Resolution - approving Memorandum of Understanding with the Mississippi Department of Transportation for the Seaway Road Pathway and authorizing the Mayor to execute the same.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Rusty Walker

- 7 Resolution - approving Supplemental Agreements #2 and #3 for the 28th Street Improvements Project 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, Ella Holmes-Hines, Myles Sharp, R.Lee Flowers, Cara Pucheu
Absent: Rusty Walker
- 8 Resolution - approving Certificate of Substantial Completion for the West 28th Street Water Main Improvements Project - Part 1 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, Ella Holmes-Hines, Myles Sharp, R.Lee Flowers, Cara Pucheu
Absent: Rusty Walker
- 9 Resolution - authorizing negotiations to acquire real property interests and easements and to do any acts necessary and legal, including prosecution in special court of eminent domain to expedite the Brickyard Bayou Drainage Improvements Project, authorizing the Mayor to execute the same and authorizing the issuance of special checks to acquire the property interests stated herein.
- Motion to Approve, Moved By** Ricky Dombrowski, **Seconded by** Cara Pucheu
- Vote:** Motion Carried By Unanimous Roll Call Vote
Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Myles Sharp, R.Lee Flowers, Cara Pucheu
Absent: Rusty Walker
- 10 Resolution - authorizing an expenditure for advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Gulfport at the 2017 Martin Luther King Parade and for related purposes.
- Motion to Approve Expenditure, Moved By** Kenneth Casey, **Seconded by** Ella Holmes-Hines
- Vote:** Motion Carried By Unanimous Roll Call Vote
Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Myles Sharp, R.Lee Flowers, Cara Pucheu
Absent: Rusty Walker
- 11 Concurrence - with Gulfport Redevelopment action of approving Agreement with Kimmel Management Services, LLC for serving as the Aquarium Consultant for the

Mississippi Aquarium.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Rusty Walker

Budget Amendments / Docket of Claims

- 12 Budget Amendment #10 - to budget revenue received for the Coastal Narcotics Enforcement Team.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Rusty Walker

- 13 Budget Amendment #11 - to budget revenue received from a forfeiture as a result of a drug related arrest.

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

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Rusty Walker

- 14 Docket of Claims - to be approved through January 4, 2017.

Motion to Approve Docket of Claims, in the amount of \$2,867,365.91, 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, Myles Sharp, R.Lee Flowers, Cara Pucheu

Absent: Rusty Walker

Routine Agenda

Motion to Approve the Routine Agenda as Amended (removal of Item #18 for further discussion), 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, Myles Sharp, R.Lee Flowers, Cara Pucheu

Absent: Rusty Walker

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

Approved on the Routine Agenda.

- 16 Public Records Requests - November 2016 - to be made a part of the minutes.

Approved on the Routine Agenda.

- 17 Privilege Licenses - November 2016 - to be made a part of the minutes.

Approved on the Routine Agenda.

- 18 Letter - regarding request by Purchasing for Mardi Gras Supplies - Police Department - to be made a part of the minutes.

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, Myles Sharp, Cara Pucheu

Nay: R.Lee Flowers

Absent: Rusty Walker

- 19 Letter - regarding bids received by Purchasing for Term Contract - Group J1 - Water & Sewer Line Supplies - to be made a part of the minutes.

Approved on the Routine Agenda.

- 20 Letter - regarding bids received by Purchasing for Term Contract - Group P - Street Marking Signs - to be made a part of the minutes.

Approved on the Routine Agenda.

- 21 Letter - regarding bids received by Purchasing for HP Elite Tablets - Police Department - to be made a part of the minutes.

Approved on the Routine Agenda.

- 22 Letter - regarding bid awarded by Purchasing for Double-Sided Grill - Police

Department - to be made a part of the minutes.

Approved on the Routine Agenda.

- 23 Letter - regarding bid awarded by Purchasing for a Rebuilt Main Hydraulic Pump for the Vac Con Truck - Public Works - to be made a part of the minutes.

Approved on the Routine Agenda.

- 24 Letter - regarding bid awarded by Purchasing to Repair 24" Sewer Main at Three Rivers Rd. and Crossroads - Public Works - to be made a part of the minutes.

Approved on the Routine Agenda.

- 25 Legal Notice - Re-advertising for Operating Lease Procurement of Certain Equipment by Purchasing - stating the lease be transferable.

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.

Motion to Suspend the Rules, Moved By Kenneth Casey, **Seconded by** Ella Holmes-Hines

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Rusty Walker

Asst. Police Chief Lopper presented to the Council a police recruiting video created and developed by Mr. Dustin Williams, a student of University of Southern Mississippi.

Seeing that no citizens were present to address the Council, the Public Agenda concluded.

Council Comments

Memorial Adjournment

- **Mr. William Phelps**
- **Mr. L.C. Fletcher**

Executive Session

Upon the Advice of General Counsel, Motion to Enter Executive Session at 2:43 P.M Moved By Ricky Dombrowski, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Rusty Walker

The Council entered executive session at 2:43 P.M. In attendance: Members of the Council: Kenneth Casey (out at 3:24 P.M.), Ricky Dombrowski, Ella Holmes-Hines (out at 3:45 P.M.), Myles Sharp, R.Lee Flowers, Cara Pucheu; Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, Assistant City Attorney Dustin Uselton (in at 3:25 P.M.), Director of Economic Development David Parker (out at 3:45 P.M.), Director of Urban Development Greg Pietrangelo (out at 3:24 P.M.) , Director of Public Works Wayne Miller (out at 3:24 P.M.), Wade Jones, Director of Economic Development, Harrison County Development Commission (out at 3:24 P.M.), Paula Delcambre, Assistant Director of Economic Development, Harrison County Development Commission (out at 3:24 P.M.), Bill Hessell, Executive Director, Harrison County Development Commission (out at 3:24 P.M.), Attorney Steve Hendrix (out at 3:45 P.M.), Public Information Officer Chris Vignes (in at 3:25 P.M.), Clerk of Council Ronda Cole, Deputy Clerk of Council Cheryl Germany. The Council entered executive session to discuss pending litigation regarding Orange Grove Community Center, and to review a presentation regarding an economic development project.

Motion to Exit Executive Session at 4:11 P.M., Moved by Cara Pucheu, Seconded by Ricky Dombrowski

Vote: Motion Carried By Unanimous Roll Call Vote

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

Absent: Kenneth Casey, Ella Holmes-Hines, Rusty Walker

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

Upon reconvening in an open meeting, the following action was taken:

Motion authorizing and approving the expenditure of monies up to \$5,000.00 (from the general fund) to go toward payment of fees and services associated with participating in mediation in connection with the pursuit of the case of City of Gulfport vs. Frank Genzer, Jr., Architects (d/b/a Genzer WHLC, PLLC), Washer Hill Lipscomb (MS), PLLC, and Genzer-WHLC Architecture, Joint Venture, to include fees related to use of the mediator and facilities, and to authorize and approve the expenditure of monies up to \$5,000.00 (from the general fund) to go toward the payment of filing fees associated with increasing the City's claim amount for recovery in the above pending arbitration proceeding (up to one million dollars). Moved by Cara Pucheu, Seconded by Ricky Dombrowski.

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

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 Mr. William Phelps and Mr. L.C. Fletcher until 1:30 P.M. January 17, 2017 for a regularly scheduled council meeting, Moved By R.Lee Flowers, Seconded by Myles Sharp.

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

City Clerk

Mayor