



City of Gulfport, Mississippi

Agenda City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, December 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 an adjourned meeting from a regular council meeting held on December 6, 2016 at 1:30 P.M. Present: Mayor Billy Hewes; General Counsel Hugh Keating; Council Members Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers, Cara Pucheu (out at 2:53). Absent: Myles Sharp.

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

Agenda Order

Motion to Accept Agenda with the Addition of Item 14-A, Addendum of Change Order #3 with Pickering Firm regarding Landon Road, Moved By Ricky Dombrowski, **Seconded by** R.Lee Flowers.

Vote: Carried by Unanimous Roll Call Vote

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

Absent: Myles Sharp

Presentation Agenda

- **Mayor's Report**

The President called for the Mayor's Report.

1st Annual Mississippi Gulf Coast Marathon: Presentation of a framed blue crab print was made by Patrick Fellows, organizer of the 1st Annual Mississippi Gulf Coast Marathon. Mr. Fellows noted that approximately 3,000 participants from 42 states, and as far away as Canada registered for the event, with hopes that the annual event will grow, bringing more folks to the coast.

Harbor Lights Winter Festival – A big Christmas week and weekend planned! Live Music each night - and remember that Santa's with us each night from 6-9 pm through Friday when he returns to the North Pole. If you haven't been, you don't know what you are missing! The Gulfport Harbor Lights will remain for all to enjoy over the Christmas holidays and will end January 1, 2017.

Holiday Schedule: The City offices will be closed on Friday, December 23 and Monday, December 26 in observance of Christmas.

New Year's Holiday will be observed on Monday, January 2.

Please don't forget to check on your neighbors and friends that may be alone over the holiday season.

This concluded the Mayor's Report.

Policy Issues

Public Hearing / Minutes

- 1 Joint Public Hearing - in collaboration with Harrison County Board of Supervisors regarding the proposed sale of Memorial Hospital's behavioral health assets.

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

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

 With no one present to speak during this time, Motion to Close Hearing, Moved By R.Lee Flowers, **Seconded by** Kenneth Casey

 Vote: Carried by Unanimous Roll Call Vote
 Aye: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers, Cara Pucheu.
 Absent: Myles Sharp
- 2 Approval of minutes - for December 6, 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, Rusty Walker, R.Lee Flowers, Cara Pucheu
 Absent: Myles Sharp

Code Enforcement / Ordinances / Planning

- 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

There being no one present to object, Motion to Close the Code Enforcement Hearing and Approve the Resolution, Moved By Kenneth Casey, Seconded by R.Lee Flowers

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

- 4 Ordinance - rezoning property from B-2 (General Business) to R-2 (Single Family) located north of and adjacent to 28th Street, south of 29th Street, east of 59th Avenue, and west of and adjacent to 58th Avenue - Case # 1611P159 - Ward 1.

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

Absent: Myles Sharp

- 5 Ordinance - providing for the Salary of Compensation for certain employees of the Fire Department, and for related purposes.

Motion to Adopt Ordinance, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

- 6 Ordinance - providing for the Salary of Compensation for certain employees of the Urban Development Dept., and for purposes.

Motion to Adopt Ordinance, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

- 7 Certificate of Resubdivison (Short Form) - of tax parcel 0909A-01-001.045 into 5 lots, located of Seaway Road, south of and adjacent to Intraplex Parkway, east of and adjacent to Corporate Drive, and west of Joe Boardman Jr Drive - Case #1612PC173 - Ward 5

Motion to Approve Certificate of Resubdivision 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

Resolutions / Requests

- 8 Resolution - approving Contract between the City of Gulfport and Fieldturf USA, Inc. for turf supply and installation at the Gulfport Sportsplex and authorizing the Mayor to execute the same.

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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

- 9 Resolution - approving Contract between the City of Gulfport and LPK Architects, PA, for design services for the Golf Course Clubhouse 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, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

- 10 Resolution - approving Change Order #1 to Contract with Hudson Contracting, LLC, for the West 28th St. Water Main 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, Rusty Walker, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

- 11 Resolution - by the Gulfport City Council authorizing recognition of Friday, December 23, 2016 as an additional municipal holiday in further observance of the Christmas Holiday, as proclaimed by the Governor of the State of Mississippi, and for related purposes.

Motion to Approve December 23, 2016 holiday as set forth by proclamation of the Governor, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

Amendment to grant Friday, December 30, 2017 as an additional holiday, contingent upon proclamation by the Governor, Moved by Cara Pucheu, Seconded by Ella Holmes-Hines

- 12** Request - for acceptance of Canal Crossing, Phase 7 Subdivision for Perpetual Maintenance of Water and Sewer.

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, Rusty Walker, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

- 13** Request - for issuance of a special check to fund Flexible Spending Account for 2017.

Motion to authorize issuance of a special check, in the amount of \$94,484.00 to fund the Flexible Spending Account for 2017, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

- 14** Request - Street Closure and Concession Sales for the 9th Annual Unity Festival, Inc. to be held on March 18, 2017.

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, Rusty Walker, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

Budget Amendments / Docket of Claims

- 15** Budget Amendment - Transfer of Funds for Winch Replacement - Public Works.

Motion to Approve, Moved By Cara Pucheu, Seconded by Rusty Walker

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

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

Motion to Approve the Docket of Claims, in the amount of \$3,305,527.89, 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, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

Routine Agenda

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

Absent: Myles Sharp

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

Approved on the Routine Agenda.

- 18 Discussion - Bridgewater Bay Letter of Support.

Note: Councilmember Cara Pucheu recused herself and removed herself from the Council Chambers during the discussion and vote of this item.

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, Rusty Walker, R.Lee Flowers

Absent: Myles Sharp, Cara Pucheu

The Council heard from Mr. Laurence Leyens who provided an overview of the Bridgewater Bay Project and the proposed Tax Increment Financing (TIF) Plan.

Motion to authorize the Mayor to execute and deliver a letter of support of the Bridgewater Bay TIF Plan as approved by Harrison County; provided that the project complies with all applicable ordinances, rules and regulations promulgated by the City of Gulfport and applicable laws of the State of Mississippi; and provided further that indication of support in the letter is not to be construed as any commitment or obligation to undertake any future duties or responsibilities in connection with the TIF Plan, 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, R.Lee Flowers

Absent: Myles Sharp, Cara Pucheu (recused and absent)

- 19 Ratification - of grant modification for Coastal Narcotics Enforcement Team - to be made a part of the minutes.

Approved on the Routine Agenda.

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

Approved on the Routine Agenda.

- 21 Year to Date Budget Report - for month ending November 30, 2016 - to be made part of the minutes.

Approved on the Routine Agenda.

- 22 Letter of Recommendation - regarding Proposals received in response to RFP for Multifunction Copier, Scanner and Printer Lease Services.

Approved on the Routine Agenda.

- 23 Letter of Request - Purchase of School Bus for prisoner transportation - Police Department.

Approved on the Routine Agenda.

- 24 Letter - regarding Sole Source Procurement Request for Camera/Tractor System - Public Works.

Approved on the Routine Agenda.

- 25 Request - Advertising of Bids for Courthouse Road Improvements Project.

Approved on the Routine Agenda.

- 26 Letter - regarding bids received by Purchasing for Term Contract - Group C - Sundry Road Materials - to be made a part of the minutes.

Approved on the Routine Agenda.

- 27 Letter - regarding bids received by Purchasing for Term Contract - Group C1 - Limestone, Washout Materials - to be made a part of the minutes.

Approved on the Routine Agenda.

- 28 Letter - regarding bids received by Purchasing for Term Contract - Group C2A - Culverts & Ram Neck Piping - to be made a part of the minutes.

Approved on the Routine Agenda.

- 29 Letter - regarding bids received by Purchasing for Term Contract - Group C8 - Infield, Track & Walkway - to be made a part of the minutes.

Approved on the Routine Agenda.

- 30 Letter - regarding bids received by Purchasing for Term Contract - Group J - Ductile or Cast Iron Grates & Frames - to be made a part of the minutes.

Approved on the Routine Agenda.

- 31 Letter - regarding bids received by Purchasing for Term Contract - Group J2 - Pre-Cast & Concrete Manholes - to be made a part of the minutes.

Approved on the Routine Agenda.

- 32 Letter - regarding bids received by Purchasing for Term Contract - Group K - Pumps for Lift Stations - to be made a part of the minutes.

Approved on the Routine Agenda.

- 33 Letter - regarding bids received by Purchasing for Term Contract - Group N - Chemical for Water Purification & Sewage Treatment - to be made a part of the minutes.

Approved on the Routine Agenda.

- 34 Letter - regarding bids received by Purchasing for Term Contract - Group N1 - Chlorine - to be made a part of the minutes.

Approved on the Routine Agenda.

- 35 Letter - regarding bids received by Purchasing for Term Contract - Group O - Hot Extruded Thermoplastic & Street Marking Paint - to be made a part of the minutes.

Approved on the Routine Agenda.

- 36 Letter - regarding bids received by Purchasing for Term Contract - Group P3 - Furnish & Install Fencing - to be made a part of the minutes.

Approved on the Routine Agenda.

- 37 Letter - regarding bids received by Purchasing for Term Contract - Group U - Electronic Equipment - to be made a part of the minutes.

Approved on the Routine Agenda.

- 38 Letter - regarding bids received by Purchasing for Term Contract - Group Z - Portable Restrooms - to be made a part of the minutes.

Approved on the Routine Agenda.

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Legal Notice - advertisement for RFP for 28th Street Playground Project

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 participated in the Forum

Mr. Willie Spann, resident of 2103 34th St.
Mrs. Sandra Wyche, resident of 3525 Nunnally St.
Attorney Gayle Tart , resident of 1912 33rd Ave.
Mr. Richard K. Marshall, resident of 8138 34th Ave.

This concluded the Public Agenda.

Council Comments

Memorial Adjournment

- **Ms. Helen Meggs Ford**
- **Mrs. Geraldine Caldwell Robinson**

Executive Session

Upon the advice of General Counsel, Motion to Enter Executive Session at 2:38 P.M., 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

The Council entered executive session at 2:38 P.M. In attendance: Members of the Council: Kenneth Casey, Ricky Dombrowski, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers and Cara Pucheu (out at 2:53); CAO Dr. John Kelly, Mayor Billy Hewes, General Counsel Hugh Keating, Assistant City Attorney Dustin Uselton, Director of Engineering Kris Riemann, Clerk of Council Ronda Cole and Deputy Clerk of Council Cheryl Germany. The Council discussed the matter of potential litigation and litigation involving Michael Long and Cowan Road Homes, authority to proceed against others for failing to file easements related to same, status of vacation request with Mississippi Power Company involving litigation.

Motion to Exit Executive Session at 3:01 P.M., 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

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

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

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

Motion authorizing the City Attorney's office to take whatever steps may be required to agree to the vacation of right-of-way and/or road running east and west between Block 6 and Block 7 (Lawler's Orange and Truck Farms Addition) which is the subject of that certain lawsuit pending in the Chancery Court of Harrison County, Mississippi, First Judicial District, Cause No. 16-2436(2). 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, R.Lee Flowers, Cara Pucheu.

Absent: Myles Sharp

Motion authorizing the City Attorney's office to file proofs of claim in the Michael Long and Cowan Road Homes bankruptcy proceedings, 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 and R.Lee Flowers

Absent: Myles Sharp, 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 Ms. Helen Meggs Ford and Mrs. Geraldine Caldwell Robinson until 1:30 P.M. January 3, 2017 for a regularly scheduled council meeting. Motion to Approve, 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, R.Lee Flowers

Absent: Myles Sharp, Cara Pucheu

Agenda Adjustments

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Request to Add Item - Recommendation to approve Addendum #3 to the Contract Agreement for Engineering Services with Pickering Firm, Inc., for the Landon Road Improvements Project - 34th Avenue to U.S. Highway 49.

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, Rusty Walker, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp