



# City of Gulfport, Mississippi

## Minutes - Final City Council

2309 15th Street  
Gulfport, MS 39501

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Tuesday, January 21, 2014

1:30 PM

Gulfport City Hall  
Council Chambers

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**1:30 p.m.**

### **Invocation, Pledge of Allegiance, Call to Order**

The Mayor and Members of the City 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 January 15, 2014 at 4:30 P.M. Present: Mayor Billy Hewes, Members of the Council: Dombrowski, Holmes-Hines (in at 1:34 P.M.), Walker, Sharp, Flowers and Pucheu and General Counsel Hugh Keating. Absent: Councilmember Casey

**Present 6 -**

Councilmember Dombrowski; Councilmember Holmes-Hines; Councilmember Walker; Councilmember Sharp; Councilmember Flowers and Councilmember Pucheu

**Absent 1 -**

Councilmember Casey

### **Agenda Order**

### **Confirmation or adjustment of the agenda order**

The President called for confirmation or adjustment of the agenda order.

A motion was made by Councilmember Walker, duly seconded by Councilmember Pucheu to add two invoices to the Docket of Claims (Item #21), payment to L.B. Letcher and Tom Anderson for lease payments owed for the Canal Road Landfill rent, and move Policy Item 16 to 3-A and accept the agenda as amended. The motion carried by the following vote:

**Ayes:** Dombrowski, Walker, Sharp, Flowers and Pucheu

**Nays:** None

**Absent:** Casey and Holmes-Hines

### **Presentation Agenda**

#### **• Mayor's Report**

The President called for the Mayor's Report.

The Mayor advised of the approaching cold front and reminded everyone to protect plants, pets and to check on those less fortunate.

Police Chief Leonard Papania called upon Detective Jennifer Krump and presented her with a Medal of Merit, a Life Saving Medal. Chief Papania summarized the events of February 20, 2012 and stated that Officer Krump had been dispatched to a possible house fire. Upon arrival, she observed smoke.

Officer Krump was familiar with the residence and its occupants and knew there were an elderly female with limited mobility and her adult son. Upon entering the front door of the residence she found it was filled with heavy black smoke. She noticed the female occupant was standing in the living room of the house, supported by a walker. Office Krump assisted the female to the door. She found the son in the kitchen attempting to put out of the fire, she took him by the arm and pulled him from the kitchen and out the front door with the female occupant as fire personnel were arriving. Both parties were taken to the hospital and treated for smoke inhalation. Officer Krump's quick actions assisted in the saving of two lives. Detective Krump was presented with her medal and received a standing ovation for her dedication and efforts.

Fire Chief Mike Beyerstedt introduced Hank Levins as Chief of Operations for the Fire Department.

Team Fusion 364 - Robotics Team gave an update on their program and community service projects. They had logged over 400 community service hours. The Robotics Team was a collaborative effort between Gulfport High, West Harrison High and other coastal schools.

The annual Martin Luther King, Jr. Day Parade followed by the Battle of the Bands at Milner Stadium was a great community event. There was an estimated 10,000 in attendance. The Mayor thanked all the organizers and city staff who participated to have this function back in Gulfport.

The Orange Grove Mardi Gras Parade was scheduled for Saturday, February 15 at 2:00 p.m. There was a new route this year. Watch for details in the local media and on the city's website and facebook page.

Mardi Gras Mayhem - the inaugural event was coming to Jones Park on Saturday, February 22. The event was free and open to the public; activities were scheduled to begin at 2:30 p.m.

The Gulf Coast Softball Classic was scheduled February 28 - March 2. The three-day tournament at the Gulfport Sportsplex, would feature 10 collegiate teams and 40 Mississippi high school teams, was forecasted to generate more than \$1 million for the city.

Countdown to Gulfport Music Festival was scheduled for May 9-10. Announcement coming soon on the various acts - the event continues to grow and Gulfport looks forward to another successful concert weekend in Jones Park!

This concluded the Mayor's Report.

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## Policy Issues

### Minutes

1

Approval of minutes - for December 27, 2013, January 7 & 15, 2014.

A motion was made by Councilmember Pucheu, seconded by Councilmember Holmes-Hines, that this Minutes be Approved. The motion carried by the

**following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

**2**

Ratification of previous minutes - for September 14, 21 & November 16, 2010.

**A motion was made by Councilmember Flowers, seconded by Councilmember Pucheu to bring the previous minutes off the table. The motion carried by the following vote:**

**Ayes:** Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu

**Nays:** None

**Absent:** Casey

**A motion was made by Councilmember Flowers, seconded by Councilmember Pucheu, to ratify the previous minutes of September 14, 21 & November 16, 2010. The motion carried by the following vote:**

**Aye:** 4 - Dombrowski; Walker; Flowers and Pucheu

**Nay:** 2 - Holmes-Hines and Sharp

**3**

Ratification - of previous minutes for December 9 & 21, 2010 and January 18, 2011.

**A motion was made by Councilmember Flowers, seconded by Councilmember Pucheu, to ratify the previous minutes of December 9 & 21, 2010 and January 18, 2011. The motion carried by the following vote:**

**Aye:** 4 - Dombrowski; Walker; Flowers and Pucheu

**Nay:** 2 - Holmes-Hines and Sharp

**3-A**

Resolution - by the Gulfport City Council memorializing the Mississippi Department of Transportation to study and evaluate Mississippi Highway 605 in the area of its intersection with East Taylor Road in the City of Gulfport, Mississippi, and consider the placement of a traffic signal at the aforementioned intersection to improve the safety of the intersection.

**\*Note: At this time, Councilmembers Walker and Pucheu recused themselves and removed themselves from the Council Chambers during the discussion and vote on this Resolution.**

**A motion was made by Councilmember Sharp, seconded by Councilmember Dombrowski, that this Resolution be Adopted (with the amendment that the comprehensive study include the area between both bridges, a possible frontage road, and the addition of or deletion of traffic devices. The motion carried by the following vote:**

**Aye:** 4 - Dombrowski; Holmes-Hines; Sharp and Flowers

**Recused:** 2 - Walker and Pucheu

### **Code Enforcement / Requests**

**4**

Code Enforcement Hearing - on resolution to 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 advertisement for bids for lot clean-ups

and/or demolitions.

**A motion was made by Councilmember Sharp, duly seconded by Councilmember Flowers to open the Code Enforcement Hearing. The motion carried by the following vote:**

**Ayes:** Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu

**Nays:** None

**Absent:** Casey

**There being no one present to object, a motion was made by Councilmember Pucheu, duly seconded by Councilmember Dombrowski, to close the hearing and approve the Resolution. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

- 5 Letter - from First Christian Church requesting approval of proposed route for Coast Chalice CROP Hunger Walker to be held on March 22, 2014.

**A motion was made by Councilmember Walker, seconded by Councilmember Holmes-Hines, to offer Resolution of support to First Christian Church for A Hunger Walk, to be held on March 22, 2014. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

- 6 Letter - from Boy Scouts requesting approval to close an alley located behind the First United Methodist Church on February 6, 2014.

**A motion was made by Councilmember Pucheu, seconded by Councilmember Flowers, to approve the request from the Boy Scouts for permission to close an alley located First United Methodist Church on February 6, 2014. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

- 7 Request - to amend the Emergency Watershed Protection Project with the Natural Resources Conservation Service.

**\*Note: At this time, Councilmember Pucheu recused herself and removed herself from the Council Chambers during the discussion and vote on this item.**

**A motion was made by Councilmember Flowers, seconded by Councilmember Dombrowski, that this Resolution be Adopted. The motion carried by the following vote:**

**Aye:** 5 - Dombrowski; Holmes-Hines; Walker; Sharp and Flowers

**Recused:** 1 - Pucheu

### **Planning**

- 8 Certificate of Resubdivision - of one parcel into two lots - located north of and adjacent to Township Road, south of Live Oak Avenue, east of Teagarden Road, and west of Milray Lane - Case #1311PC097- Ward 2.

**Upon the recommendation of General Counsel, a motion was made by**

**Councilmember Pucheu, seconded by Councilmember Flowers to remand the Certificate of Resubdivision case back to the Planning Commission for further consideration. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

- 9 Ordinance - amending the Comprehensive Zoning Ordinance, Section III (J) Chart of Permitted Uses, to add Microbrewery/Craft Brewery - Case # 1312PC107.

***Ordinance #2788***

**A motion was made by Councilmember Walker, seconded by Councilmember Sharp, that this Ordinance be Adopted. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

**Resolutions**

- 10 Resolution - adopting the City of Gulfport Hazard Mitigation and Flood Protection Plan.

**A motion was made by Councilmember Flowers, seconded by Councilmember Sharp, that this Resolution be Adopted approving the City of Gulfport Hazard Mitigation and Flood Protection Plan for 2013-2017. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

- 11 Resolution - approving Engineering Master Services Agreement 2014 for the City of Gulfport.

**A motion was made by Councilmember Flowers, seconded by Councilmember Sharp to suspend the rules at this time. The motion carried by the following vote:**

**Ayes:** Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu

**Nays:** None

**Absent:** Casey

**After discussion, a motion was made by Councilmember Pucheu, seconded by Councilmember Holmes-Hines, to table the Engineering Master Services Agreements until the next council meeting. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

- 12 Resolution - approving Sales and Service Agreement with Five Points ICT, Inc., for the provision of on-line Wellness Portal Services and authorize the Mayor to execute same.

**A motion was made by Councilmember Holmes-Hines, seconded by Councilmember Pucheu to bring the Resolution off the table. The motion carried by the following vote:**

**Ayes:** Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu

**Nays:** None

**Absent:** Casey

**A motion was made by Councilmember Pucheu, seconded by Councilmember Holmes-Hines, to approve the Sales and Service Agreement with Five Points ICT, Inc., for the on-line wellness portal services. The motion carried by the following vote:**

**Aye:** 5 - Dombrowski; Holmes-Hines; Sharp; Flowers and Pucheu

**Nay:** 1 - Walker

- 13** Resolution - approving Service Agreement for "SuiteOne" automated agenda software and DCR2 Recording Software system and support.

**A motion was made by Councilmember Sharp, seconded by Councilmember Flowers, that this Resolution be Adopted, subject to any disputes that may arise be under the jurisdiction of the 1st Judicial District of Harrison County, Mississippi. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

- 14** Resolution - approving Letter Agreements #1 and #2 to the contract with Brown, Mitchell & Alexander, Inc., for the Three Rivers Road Improvements - Phase 2 Project.

**A motion was made by Councilmember Walker, seconded by Councilmember Holmes-Hines, that this Resolution be Adopted. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

- 15** Resolution - declaring certain equipment surplus related to a DUI trailer, to the extent that the city has any ownership therein, and authorizing the transfer of said equipment, in coordination with the Department of Public Safety, to the City of Starkville, Mississippi, and authorizing the appropriate personnel with the Gulfport Police Department to execute and all documents as may be required.

**A motion was made by Councilmember Pucheu, seconded by Councilmember Sharp, that this Resolution be Adopted. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

#### **Budget Amendments / Docket of Claims**

- 17** Budget Amendment # 20 - to set up budget for funds received for the Hazardous Materials Response Team within the Fire Department.

**A motion was made by Councilmember Walker, seconded by Councilmember Pucheu, that this Budget Amendment be Approved. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

- 18** Budget Amendment # 21 - to budget program income for the Coastal Narcotics Enforcement Team in the Police Department.

**A motion was made by Councilmember Walker, seconded by Councilmember Pucheu, that this Budget Amendment be Approved. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

- 19 Budget Amendment # 22 - to budget Federal shared revenue received in the Police Department.

**A motion was made by Councilmember Walker, seconded by Councilmember Pucheu, that this Budget Amendment be Approved. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

- 20 Budget Amendment # 23 - to budget County/Local shared revenue received in the Police Department.

**A motion was made by Councilmember Walker, seconded by Councilmember Pucheu, that this Budget Amendment be Approved. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

- 21 Docket of Claims - to be approved through January 22, 2014.

**A motion was made by Councilmember Walker, seconded by Councilmember Sharp, to approve Docket of Claims with the addition of two invoices, payable to Thomas Anderson Jr., in the amount of \$6,875.00 and L.B. Fletcher, Jr., in the amount of \$5,875.00 for Canal Road landfill rent payments. The motion carried by the following vote:**

**Aye:** 6 - Dombrowski; Holmes-Hines; Walker; Sharp; Flowers and Pucheu

## **Routine Agenda**

**A motion was made by Councilmember Walker, seconded by Councilmember Dombrowski to approve the Routine Agenda as presented. The motion carried by the following vote:**

**Ayes:** Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu

**Nays:** None

**Absent:** Casey

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

**Approved on the Routine Agenda.**

- 2 Resolution - awarding bid and approving contracts for Term Contract C2A - Culvert and Ram Neck Piping.

**Approved on the Routine Agenda.**

- 3 Resolution - awarding bid and approving contracts for Term Contract Group C3 - Products and Services for Various Types Hot Bituminous Pavement.

**Approved on the Routine Agenda.**

- 4 Resolution - awarding bid and approving contracts for Term Contract Group J - Ductile

Iron Grates and Frames.

**Approved on the Routine Agenda.**

- 5 Resolution - awarding bid and approving contracts for Term Contract Group J1 - Water & Sewer Line Supplies.

**Approved on the Routine Agenda.**

- 6 Resolution - awarding bid and approving contracts for Term Contract Group P - Street Marking Materials.

**Approved on the Routine Agenda.**

- 7 Resolution - rejecting all bids received in response to bid solicitation for the Ship Island Ferry Boat Terminal and Pier Project and authorizing re-advertisement.

**Approved on the Routine Agenda.**

- 8 Letter - requesting permission to reject bids received for Term Contract Group E - Ready Mix Concrete and authorize the re-advertisement.

**Approved on the Routine Agenda.**

- 9 Letter - from the Records Manager requesting approval of the Public Records request for the month of December 2013 - to be made a part of the minutes.

**Approved on the Routine Agenda.**

- 10 Monthly Check Register - from Associated Adjusters for the month of December, 2013.

**Approved on the Routine Agenda.**

- 11 Year-To-Date Budget Report for the month ending December 31, 2013.

**Approved on the Routine Agenda.**

## Public Agenda

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

The President called for comments during the Public Agenda.

The following individual addressed the Council.

- Ms Bessie Ruffin, resident of 1805 31st Street.
- Mr. Hank Balter, resident of Gulfport.

This concluded the Citizen Forum.

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## Council Comments

### Executive Session

Upon advice of the City Attorney, a motion was made by Councilmember Sharp, duly seconded by Councilmember Pucheu to close the meeting to determine the need for executive session. The motion carried by the following vote:

Ayes: Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu

Nays: None

Absent: Casey

The Council entered closed session at 3:12 P.M. In attendance: Members of the Council: Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu, Mayor Billy Hewes (in at 3:16 P.M.), CAO John Kelly (in at 3:18 P.M.), General Counsel Hugh Keating (out at 3:34 P.M.), Human Resources Manager Cheryl Millender (out at 3:21 P.M.), Special Counsel Phillip Jarrell (out at 3:21 P.M.), Special Counsel Harry Hewes (in at 3:34 P.M.), 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 workers' compensation claim, an update on a litigation matter and negotiations involving a real estate transaction.

A motion was made by Councilmember Pucheu, duly seconded by Councilmember Walker to come out of closed session and enter executive session at 3:15 P.M. The motion carried by the following vote:

Ayes: Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu

Nays: None

Absent: Casey

After discussion, a motion was made by Councilmember Holmes-Hinhes, duly seconded by Councilmember Pucheu to come out of executive session at 4:01 P.M. The motion carried by the following vote:

Ayes: Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu

Nays: None

Absent: Casey

No official action was taken during executive session.

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

A motion was made by Councilmember Walker, duly seconded by Councilmember Pucheu to authorize special counsel the authority to negotiate a full and final settlement of a workers' compensation claim (up to the amount discussed) Ref. AAI-0029975-L02. The motion carried by the following vote:

Ayes: Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu

Nays: None

Absent: Casey

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A motion was made by Councilmember Sharp, duly seconded by Councilmember Pucheu to authorize the Administration and the Gulfport Redevelopment Commission to negotiate purchase of real property, with final approval by the governing authority. The motion carried by the following vote:

Ayes: Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu  
Nays: None  
Absent: Casey

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A motion was made by Councilmember Walker, duly seconded by Councilmember Holmes-Hines to authorize moving forward with negotiations with the Secretary of State and set a special meeting for Wednesday, January 22, 2014 at 10:00 A.M. The motion carried by the following vote:

Ayes: Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu  
Nays: None  
Absent: Casey

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### **Memorial Adjournment**

- Mrs. Bobbie Jean Rosskopf
- Mr. Howard McNeill, Sr.
- Mrs. Frankie Clements Matthews
- Mrs. Jeanette Strickland Harrison

### **Setting of Next Meeting and Adjournment**

There being no further business to come before the Council, a motion was made by Councilmember Flowers, duly seconded by Councilmember Sharp to adjourn in memory of Mrs. Bobbie Jean Rosskopf, Mr. Howard McNeill, Sr., Mrs. Frankie Clements Matthews and Mrs. Jeanette Strickland Harrison until January 22, 2014 at 10:00 A.M. for a special council meeting. The motion carried by the following vote:

Ayes: Dombrowski, Holmes-Hines, Walker, Sharp, Flowers and Pucheu  
Nays: None  
Absent: Casey

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City Clerk

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Mayor