City of Hattiesburg, MS

200 Forrest St. P.O. Box 1898 Hattiesburg, MS 39401



Meeting Agenda

Tuesday, February 16, 2016 4:00 PM

Council Chambers

City Council

- I. Call to Order
- II. Call to Prayer and Pledge of Allegiance
- III. Agenda Order

IV. PRESENTATION AGENDA

V. POLICY AGENDA

V-1 2016-2490

Adopt a Resolution approving the adoption and implementation of the "Tax Increment Financing Plan, Midtown Hattiesburg Project, City of Hattiesburg, Mississippi; February 2014, as amended for the Elam Arms Development, February 2016.

Attachments: RES-TIF Plan, Midtown Hattiesburg Project, as amended for the Elam Arms De

V.-2 2016-2462

Adopt a Resolution supporting Midtown Investors,LLC(The Developer), A full service hotel development project with guest amenities(The Project), and acknowledging that sales tax collected from the project will be diverted to the sales tax rebate fund("The Rebate Fund") for a period of up to fifteen (15) years, or when the aggregate amount of thirty percent(30%) of the approved project costs by the Mississippi Development Authority("MDA") incurred by developer for the project has been paid or whichever shall occur first, pursuant to Section 57-26-1 ET Seq. Mississippi Code of 1972, as amended for related purposes.

<u>Attachments:</u> RES - The District at Midtown LLC - City Supporting Resolution

V.-3 <u>2016-2457</u>

Adopt an Ordinance to amend the Comprehensive Zoning Ordinance No. 2330, amending Article 4, Section 58, B-1 (Professional Business) District, specifically Section 58.03 (10) Uses Permitted on Review by the Planning Commission, to read "Public or Private School". The Planning Commission voted to APPROVE on Feburary 3, 2016.

Attachments: February HPC Minutes (DRAFT)

Staff Summary - B-1 School Text Change
Land Development Code Amendment

ORDINANCE B-1 SCHOOL UPR TEXT AMENDMENT

V.-4 2016-2459

APPROVE or DENY a petition filed by Christie Brady, Executive Director of TIDE School, Representative, on behalf of South 28th Avenue Baptist Church, Owner, to request a Use Permit Upon Review for a "Public or Private School" as provided in Article 4, Section 58.03 (10) for certain property located at 1124 South 28th Avenue (Parcel 039G-17-176.00, PPIN 27016, Ward 4). The Planning Commission voted to APPROVE on Feburary 3, 2016.

<u>Attachments:</u> <u>February HPC Minutes (DRAFT)</u>

Image Sheet - TIDE School-

Staff Summary - TIDE School - Use Permit

Applicant Summary - ItemB

V.-5 2016-2463

Adopt an Ordinance for the petition filed by Richard Hiatt, Representative, DRC Investments, LLC, Owner, to designate the zoning classification within an annexed and unzoned area for Lots 3-10, 12, 15, and 16 at Augusta Court Subdivision of Greystone located on Augusta Court West (Parcel 052B-03-004.006, PPIN 31376; Parcel 052B-03-004.007, PPIN 31377; Parcel 052B-03-004.008, PPIN 31378; Parcel 052B-03-004.009, PPIN 31379; Parcel 052B-03-004.010, PPIN 31380; Parcel 052B-03-004.011, PPIN 31381; Parcel 052B-03-004.012, PPIN 31382; Parcel 052B-03-004.013, PPIN 31383; Parcel 052B-03-004.016, PPIN 31386; Parcel 052B-03-004.019, PPIN 31389; Parcel 052B-03-004.020, PPIN 31390, respectively, Ward 1) to Article 4, Section 52, R-1A (Single-Family Residential) District.

Attachments: February HPC Minutes (DRAFT)

<u>Image Sheet - DRC Investments(Zoning Designation)</u>
Staff Summary - DRC Investments (Zoning Designation)

Applicant Summary - ItemC-F
Ordinance - DRC Investment, LLC

Feburary 3, 2016

V.-6 2016-2465

Adopt an Ordinance for the petition filed by Richard Hiatt, Representative, Richard Hiatt Construction, Inc., Owner, to designate the zoning classification within an annexed and unzoned area for Lot 11 and Lot 13 at Augusta Court Subdivision of Greystone located on Augusta Court West (Parcel 052B-03-004.015, PPIN 31385; Parcel 052B-03-004.017, PPIN 31387, respectively, Ward 1) to Article 4, Section 52, R-1A (Single-Family Residential) District. The Hattiesburg Planning Commission recommended to APPROVE on Febuary 3, 2016.

<u>Attachments:</u> <u>February HPC Minutes (DRAFT)</u>

Image Sheet - Richard Hiatt (Zoning Designaiton)

Staff Summary- Richard Hiatt Construction (Zoning Designation)

Applicant Summary - ItemC-F

Ordinance - Richard Hiatt Construction

V.-7 2016-2467

Adopt an Ordinance for the petition filed by Stan Hall, Representative, Mid-South Investment, LLC, Owner to designate the zoning classification within an annexed and unzoned area for Lot 17 at Augusta Court Subdivision of Greystone located at 1 Augusta Court East (Parcel 052B-03-004.021, PPIN 31391, Ward 1) to Article 4, Section 52, R-1A (Single-Family Residential) District.

The Hattiesburg Planning Commission recommended to APPROVE on Febuary 3, 2016.

<u>Attachments:</u> February HPC Minutes (DRAFT)

Image Sheet - Mid-South Investment, LLC (Zoning Designation)
Staff Summary- Mid-South Investment, LLC (Zoning Designation)

Applicant Summary - ItemC-F

Ordinance - Mid-South Investment, LLC

V.-8 2016-2471

Adopt an Ordinance for the petition filed by Matt Mayo, Representative, Community Bank, Owner to designate the zoning classification within an annexed and unzoned area for Lots 19 - 40 and an area designated as a "Common Area" at Augusta Court Subdivision of Greystone located on Augusta Court East and Amen Circle (Parcel 052B-03-004.024, PPIN 31352; Parcel 052B-03-004.022, PPIN 31353; Parcel 052B-03-004.025, PPIN 31354; Parcel 052B-03-004.026, PPIN 31355; Parcel 052B-03-004.027, PPIN 3156; Parcel 052B-03-004.028, PPIN 31357; Parcel 052B-03-004.029, PPIN 31358; Parcel 052B-03-004.030, PPIN 31359; Parcel 052B-03-004.031, PPIN 31360; Parcel 052B-03-004.032, PPIN 31361; Parcel 052B-03-004.033, PPIN 31362; Parcel 052B-03-004.034, PPIN 31363; Parcel 052B-03-004.035, PPIN 31364; Parcel 052B-03-004.036, PPIN 31365; Parcel 052B-03-004.037, PPIN 31366; Parcel 052B-03-004.038, PPIN 31367; Parcel 052B-03-004.039, PPIN 31368; Parcel 052B-03-004.040, PPIN 31369; Parcel 052B-03-004.041, PPIN 31370; Parcel 052B-03-004.042, PPIN 31371; Parcel 052B-03-004.043, PPIN 31372; Parcel 052B-03-004.044, PPIN 31393; and Parcel 052B-03-004.014, PPIN 31384; respectively, Ward 1) to Article 4, Section 52, R-1A (Single-Family Residential) District. The Planning Commission recommended to APPROVE on February 3, 2016.

<u>Attachments:</u> <u>February HPC Minutes (DRAFT)</u>

Image Sheet -Community Bank (Zoning Designaiton)

Staff Summary- Community Bank (Zoning Designation)

Applicant Summary - ItemC-F

Ordinance - Community Bank

V.-9 2016-2460

Adopt an Ordinance for the petition filed by Charles Bourland, Representative, on behalf of William Carey University, Owner, to change the zoning classification for a certain property located at 304 County Drive (Parcel 038I-22-061.00, PPIN 6349, Ward 5) from A-1 (General Agricultural) District to R-3 (Multi-Family Residential) District. The Planning Commission recommended to APPROVE on February 3, 2016.

<u>Attachments:</u> February HPC Minutes (DRAFT)

Image Sheet -304 County Dr

Staff Summary - 304 County Drive

Applicant Summary - 304 County - ItemG 1
WCU Overall Project Site Plan - no aerial

WCU - Letter

Ordinance - 304 County Drive

V.-10 2016-2464 APPROVE or DENY a petition filed by Charles Bourland, Representative,

on behalf of William Carey University, Owner, to request a Use Permit Upon Review for a "University or College" as provided in Article 4, Section 56.03 (12) for a certain property located at 304 County Drive

(Parcel 038I-22-061.00, PPIN 6349, Ward 5).

The Planning Commission recommended to APPROVE on February 3,

2016.

Attachments: February HPC Minutes (DRAFT)

Image Sheet -304 County Dr 1

Staff Summary - 304 County Drive

Applicant Summary - 304 County Item H 1
WCU Overall Project Site Plan - no aerial

WCU - Letter

V.-11 2016-2461

Adopt an Ordinance for the petition filed by Charles Bourland, Representative, on behalf of William Carey University, Owner, to change the zoning classification for a certain properties located at 1602, 1603, 1605, 1608, and 1610 Cedar Street and 302 County Drive (Parcel 038I-22-058.00, PPIN 10462; Parcel 038I-22-060.00 PPIN 10466; Parcel 038I-22-059.00, PPIN 10467; Parcel 038I-22-062.00, PPIN 10465; Parcel 038I-22-057.00, PPIN 10468, respectively, Ward 5) from R-1C (Single-Family Residential) District to R-3 (Multi-Family Residential) District.

The Planning Commission recommended to APPROVE on February 3, 2016.

Attachments: February HPC Minutes (DRAFT)

Image Sheet -1602, 1603, 1605, 1608, 1610 Cedar Street and 302 County Drive
Staff Summary - 1602, 1603, 1605, 1608, 1610 Cedar Street and 302 County D
Applicant Summary - 1602 1603 1605 1608 1610 Cedar 302 County - Item I 1
WCU Overall Project Site Plan - no aerial

WCU - Letter

Ordinance - 1602 1603 1605 1608 1610 Cedar 302 County

V.-12 <u>2016-2466</u>

APPROVE or DENY a petition filed by Charles Bourland, Representative, on behalf of William Carey University, Owner, requesting a Use Permit Upon Review for a "University or College" as provided in Article 4, Section 56.03 (12) for certain properties located at 1602, 1603, 1605, 1608, and 1610 Cedar Street and 302 County Drive (Parcel 038I-22-058.00, PPIN 10462; Parcel 038I-22-060.00 PPIN 10466; Parcel 038I-22-059.00, PPIN 10467; Parcel 038I-22-062.00, PPIN 10465; Parcel 038I-22-057.00, PPIN 10468, respectively, Ward 5). The Planning Commission recommended to APPROVE on February 3, 2016.

Attachments: February HPC Minutes (DRAFT)

Image Sheet -1602, 1603, 1605, 1608, 1610 Cedar Street and 302 County Drive Staff Summary - 1602, 1603, 1605, 1608, 1610 Cedar Street and 302 County C Applicant Summary - 1602 1603 1605 1608 1610 Cedar 302 County - Item J 1

WCU - Letter

WCU Overall Project Site Plan - no aerial

V.-13 2016-2468

APPROVE or DENY the petition has been filed by Charles Bourland, Representative, on behalf of William Carey University, Owner, to request a variance from Article 4, Section 56.04 (10) which states the maximum height of a structure shall not exceed thirty-five (35) feet and instead allow a height of up to fifty (50) feet for a variance of fifteen (15) feet for certain properties located at 1602, 1603, 1605, 1608, and 1610 Cedar Street and 302 County Drive (Parcel 038I-22-058.00, **PPIN** 10462; Parcel 038I-22-060.00 PPIN 10466; Parcel 038I-22-059.00, PPIN 10467; Parcel 038I-22-062.00, PPIN 10465; Parcel 038I-22-057.00, **PPIN** 10468, respectively, Ward 5).

The Planning Commission recommended to APPROVE on February 3, 2016.

Attachments: February HPC Minutes (DRAFT)

Image Sheet -1602, 1603, 1605, 1608, 1610 Cedar Street and 302 County Drive Staff Summary - 1602, 1603, 1605, 1608, 1610 Cedar Street and 302 County E Applicant Summary - 1602 1603 1605 1608 1610 Cedar 302 County - Item K 1

WCU - Letter

WCU Overall Project Site Plan - no aerial

V.-14 2016-2469

Adopt an Ordinance for the petition filed by Charles Bourland, Representative, on behalf of William Carey University, Owner, to change the zoning classification for a certain property located at 1600 Cedar Street (Parcel 038I-22-055.00, PPIN 10470, Ward 5) from Article 4, Section 54, R-1C (Single-Family Residential) District to Article 4, Section 56, R-3 (Multi-Family Residential) District.

The Planning Commission recommended to APPROVE on February 3, 2016.

Attachments: February HPC Minutes (DRAFT)

Image Sheet - 1600 Cedar Street 1
Staff Summary - 1600 Cedar Street
Applicant Summary - 1600 Cedar Item L

WCU - Letter

WCU Overall Project Site Plan - no aerial

Ordinance - 1600 Cedar St

V.-15 2016-2470

APPROVE or DENY a petition filed by Charles Bourland, Representative, on behalf of William Carey University, Owner, to request a Use Permit Upon Review for a "University or College" as provided in Section 56.03 (12) for a certain property located at 1600 Cedar Street (Parcel 038I-22-055.00, PPIN 10470, Ward 5).

The Planning Commission recommended to APPROVE on February 3, 2016.

Attachments: February HPC Minutes (DRAFT)

Image Sheet - 1600 Cedar Street 1
Staff Summary - 1600 Cedar Street
Applicant Summary - 1600 Cedar Item M

WCU - Letter

WCU Overall Project Site Plan - no aerial

V.-16 <u>2016-2472</u>

Adopt an Ordinance for the petition filed by Charles Bourland, Representative, on behalf of William Carey University, Owner, change the zoning classification for certain properties located at 600 County Drive (Parcel 038I-22-049.00, PPIN 10474 & Parcel 038I-22-050.00, PPIN 10475, Ward 5) from Article 4, Section 54, R-1C (Single-Family Residential) District to Article 4, Section 56, R-3 (Multi-Family Residential) District.

The Planning Commission recommended to APPROVE on February 3, 2016.

Attachments:

February HPC Minutes (DRAFT)

Image Sheet - 600 County Dr 1 Staff Summary - 600 County Dr

Applicant Summary - 600 County Item N 1

WCU - Letter

WCU Overall Project Site Plan - no aerial

Ordinance - 600 County

V.-17 2016-2473

APPROVE or DENY a petition filed by Charles Bourland, Representative, on behalf of William Carey University, Owner, to request a Use Permit Upon Review for a "University or College" as provided in Section 56.03 (12) for a certain property located at 600 County Drive (Parcel 038I-22-049.00, PPIN 10474 & Parcel 038I-22-050.00, PPIN 10475, Ward 5).

The Planning Commission recommended to APPROVE on February 3, 2016.

Attachments: February HPC Minutes (DRAFT)

Image Sheet - 600 County Dr 1 Staff Summary - 600 County Dr

Applicant Summary - 600 County Item O 1

WCU - Letter

WCU Overall Project Site Plan - no aerial

V.-18 2016-2474

APPROVE or DENY a petition filed by Charles Bourland, Representative, on behalf of William Carey University, Owner, to request a Use Permit Upon Review for a "University or College" as provided in Section 56.03 (12) for a certain properties located on Cedar Street (Parcel 038I-22-063.00, PPIN 6351; Parcel 038I-22-134.00, PPIN 6361; Parcel 038I-22-051.00, PPIN 10476; Parcel 038I-22-056.00, PPIN 38202, Ward 5).

The Planning Commission recommended to APPROVE on February 3, 2016.

<u>Attachments:</u> February HPC Minutes (DRAFT)

Image Sheet - Cedar Street (Use Permit Upon Review) 1

Staff Summary - Cedar Street (Use Permit)

Applicant Summary - Cedar St ItemP

WCU - Letter

WCU Overall Project Site Plan - no aerial

V.-19 2016-2475

ADOPT ordinance filed by Charles Bourland, Representative, on behalf of William Carey University, to close and vacate a portion of the street known as Cedar Street south of County Drive.

The Planning Commission recommended to APPROVE on February 3, 2016.

Attachments: February HPC Minutes (DRAFT)

Image Sheet - Cedar Street (Street Closure)
Staff Summary Cedar Street (Street Closure)
Applicant Summary - Cedar Street Close ItemQ

WCU - Letter

WCU Overall Project Site Plan - no aerial

Ordinance - Cedar Street south of County Drive Close Vacate

<u>Cedar Street - Close Vacate Map</u> Cedar Street - Utility Responses 1

V.-20 2016-2485

Adopt a Resolution declaring the intention of the Mayor and Clty Council of the City of Hattiesburg, Mississippi(The City), to (I) issue a General Obligation Water and Sewer Bonds of the City and/or (II) issue a General Obligation Water and Sewer Bond to the City for purchase by the Mississippi Development Bank and/ or (III) issue Combined Water and Sewer Systems Revenue Bonds of the City and/or (IV) borrow funds by entering into a loan with the Mississippi Development Bank, all in the principal amount of not to exceed Sixty Million Dollars (60,000,000.00), issued or borrowed in one or more series, to raise money for the purpose of providing funds for (I) improving, repairing, and extending the Combined Water and Sewer System of the City of Hattiesburg, Mississippi; (II) for other authorized purposes under Mississippi Code Sections 31-25-1 ET SEQ. as amended and/or supplemented from time to time, as applicable; and (III) paying for the cost of such borrowing; and directing publication of notice of such intention.

<u>Attachments:</u> Rersolution of intent.

V.-21 2016-409

Adopt a Resolution authorizing Requisition No. 45 from the Project Fund Construction Account in connection with certain loan agreement, dated as of December 19, 2013, by and between the Mississippi Development Bank and the City of Hattiesburg.

Attachments: 2013 Bond Resolution No. 45

V.-22 2016-2454

Adopt Resolution declaring computer equipment surplus (per attached list) and authorize the disposal of said equipment (hard drives have been removed from PCs); authorize removal of equipment from City inventory

<u>Attachments:</u> 02-16-Surplus Inventory

V.-23 2016-2458

Authorize Mayor to execute Memorandum of Agreement for the Educational and Community Outreach Program between the City of Hattiesburg and the University of Southern Mississippi in duplicate, for a project period of March 1,2016 through February 28,2017(Agreement GM000673, Amendment No.11) as authorized by MS Code 39-15-1 to allow municipalities to expend monies for support of the arts.

Agreement GM000673 #11

V.-24 2016-2487

Attachments:

Approve and authorize the Mayor to execute event marketing agreement with William Carey University for Athletics, Arts, Dinner Theater Program and Music Department, for a period beginning February 1, 2016 and ending January 31,2017.

<u>Attachments:</u> <u>WCU- Agreement</u>

V.-25 2016-2489

Authorize Mayor to execute Statewide Mutual Aid Compact (SMAC) Agreement between the City of Hattiesburg and the State of Mississippi, Mississippi Emergency Management Agency (Revised March 2015).

Attachments: Statewide Mutual Aid Compact Agreement

V.-26 2016-2449

Authorize Mayor to execute professional services agreement with Shows, Dearman, and Waits, Inc. to develop an analysis of the City's water and sewer rates.

Attachments: SDW Water & Sewer Rate Study Proposal

Professional services agreement-Water and Sewer Rate Study.

V.-27 2016-2479 Authorize and Approve the Mayor to execute professional services

agreement between the City of Hattiesburg and The Walker Associates, Engineers-Planners-Designers, PLLC, for preparation of plans and specifications and contract documents for construction of the Highway 11

Medical Park Access Roadway Project (DIP Grant 363).

<u>Attachments:</u> Hattiesburg DIP Grant Engineering Contract

V.-28 2016-2450

Approve Supplemental Agreement No. 1 for comSWIP Sewer Phase VI, San Antonio, East Hardy, and Lakeview Areas,

Hattiesburg, MS, increasing construction contract by \$ 156,523.40; Authorize Mayor to execute three (3) copies of said Supplemental Agreement No.1; Approve Final Acceptance of comSWIPSewer Phase VI; and Authorize Publication of the Notice of Final

Settlement of contract of said project.

Attachments: comSWIP Sewer PHVI final pay application

comSWIP Sewer PH VI consent of surety
comSWIP Sewer PH VI release of liens

comSWIP Sewer PH VI supplemental agreement 1
comSWIP Sewer PH VI Notice of Final Settlement

V.-29 2016-2483

Acknowledge receipt of the revised Financial Statements of of the Hattiesburg Convention Commission for the fiscal year ending September 30, 2014, from Nicholson & Company, PLLC(on permanent file in the City Clerk's Office).

Attachments: Revised financial statements-Hburg Convention Commission.

V.-30 2016-2453

Acknowledge receipt and execution of the Mississippi Development Infrastructure Grant Agreement in the amount of \$448,868.00 to the City of Hattiesburg-Hattiesburg Clinic(DIP363)

Nunc Pro Tunc.

<u>Attachments:</u> <u>Letter ffrom MDA- DIP 363</u>

MDA Grant Agreement- DIP 363

VI. ROUTINE AGENDA

VI.-1 2016-2492

Authorize Mayor to Enter into Maintenance Agreement with Southern Automated Systems for Maintenance on Omnicourt

Collection Module

Attachments: 02-16-Omnicourt Module Maintenance

VI.-2 2016-2481

Authorize and Approve the Mayor to execute professional services agreement between the City of Hattiesburg and Havard Pest Control, Inc; to provide pest and termite control services to the City of Hattiesburg.

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<u>Attachments:</u> Havard- Termite Proposal

Havard- Pest Control Proposal.

VI.-3 <u>2016-2452</u>

Acknowledge receipt of monthly budget report for the month of January 31, 2016, on permanent file in the City Clerk's office.

Attachments: EXP16.0116

REV16.0116

VI.-4 2016-2482

Acknowledge receipt of the 2015 Draft Consolidated Annual Performance and Evaluation Report (CAPER) and approve publication setting a Public Hearing for March 9, 2016 at 5:30 p.m. in the City Council Chambers of City Hall, and establishing a Public Comment period to conclude March 11, 2016. {Entitlement}

Attachments: 2015-Caper

VI.-5 2016-2451

Authorize execution and submission of the Hub City Multi-Modal Transportation Improvement Program grant application to the Mississippi Department of Transportation (MDOT) to apply for 5339 funds through the Bus and Bus Facilities program in the amount of \$615,566 (\$492,453 federal share/\$123,113 local match).

<u>Attachments:</u> <u>Bus and Bus Facilities Draft Application Hattiesburg</u>

VI.-6 <u>2016-2476</u>

Acknowledge bids received February 4, 2016 for the 1500 GPM Water Well at Plant No. 1, comSWIP Project, and accept the bid from Griner Drilling Service, Inc. in the amount of \$ 448,000.00 as the lowest and best bid; Authorize Mayor to execute contract documents upon preparation.

<u>Attachments:</u> 1500 GPM Bid Tabulation

1500 GPM Bid Recommendation

VI.-7 2016-2488

Rescind minute order 2016-2438, adopted on February 2, 2016; approving specifications and authorizing publication for (4) ADA Bus Shelters for the City of Hattiesburg; Approve revised specifications to allow the purchase of a minimum of (4) four ADA Accessible Bus Shelters to a maximum of (8) eight ADA Accessible Bus Shelters for the City of Hattiesburg and authorize publication of same.

Attachments: Memo-Bus Shelters modifications

Specs and Drawings-ADA Bus Shelters
Notice to Bidder-ADA Bus Shelters

VI.-8 <u>2016-2477</u>

Approve and authorize issuance of manual checks for CDBG Program Claims per attached memorandum. {Entitlement CDBG}

<u>Attachments:</u> Memorandum for City Council for Manual Checks February 16, 2016

VI.-9 2016-2484

Approve and authorize issuance of manual check for CDBG Program claims per attached memorandum. {Entitlement CDBG}

Attachments: 2nd Memorandum for City Council Manual Check for CDBG Program Claims

VI.-10 2016-2491

Approve claims docket for the period ending February 12, 2016.

Attachments: DOCKET 16.02-12