

City of Hattiesburg, MS

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



Meeting Agenda

Tuesday, September 20, 2016

5:00 PM

Council Chambers

City Council

I. Call to Order**II. Call to Prayer and Pledge of Allegiance****III. Agenda Order****IV. TAKE FROM THE TABLE AND APPROVE Minutes of August 1, 2, 15, 16, 17, 22 and 26, 2016, meetings of the City Council.****V. PRESENTATION AGENDA****VI. POLICY AGENDA**

- VI.-1** [2016-2944](#) APPROVE or DENY a petition filed by Leonard Busby, III, Capturion Network, LLC, Applicant, on behalf of Mississippi Oil, LLC, Owner, to request a Use Permit Upon Review for a "Digital Billboard" as provided in Article 5, Section 95.10(3.1)(3) for certain property located on 4041 Old Hwy 11 (Latitude/Longitude: 31.314740, -89.411141) (Parcel 055D-16-035.000, PPIN 18771, Ward 3).
The Planning Commission recommended to APPROVE on August 3, 2016.

Attachments: [August PC Minutes \(DRAFT\)](#)
[Image Sheet- 4041 Old Hwy 11](#)
[Staff Summary - 4041 Old Hwy 11 \(Use Permit Upon Review\)](#)
[Application Summary- 4041 Old Hwy 11](#)
[4041 Old Hwy 11 - Maps Siteplan Etc](#)

- VI.-2** [2016-2948](#) APPROVE or DENY a petition filed by Leonard Busby, III, Capturion Network, LLC, Applicant, on behalf of Mississippi Oil, LLC, Owner, to request a variance from Article 5, Section 95.10. (3.1) (3) C.1. which states that a new digital billboard will be considered as an accessory structure when constructed on a site that is occupied with a primary structure(s) which may include parking areas, buildings, and similar uses except for other off-premise or on-premise free standing signs and instead allow one on-premise free standing sign and one off-premise free standing sign (digital billboard) for certain property located at 4401 Hardy Street (Lat/Lon: 31.325674, -89.356218) (Parcel 051J-12-039.000, PPIN 15030, Ward 3)
The Planning Commission recommended to DENY on September 7, 2016.

Attachments: [September PC Minutes \(draft\)](#)
 [Image Sheet- 4401 Hardy Street \(Variance & Use Permit\)](#)
 [Staff Summary - 4401 Hardy Street \(Variance\)](#)
 [Applicant Summary - 4401 Hardy St - Variance](#)
 [4401 HardySt - Document submitted by applicant at HPC 9-7-16](#)

- VI.-3** [2016-2949](#) APPROVE or DENY a petition filed by Leonard Busby, III, Capturion Network, LLC, Applicant, on behalf of Mississippi Oil, LLC, Owner, to request a Use Permit Upon Review for a “Digital Billboard” as provided in Article 5, Section 95.10(3.1) for certain property located on 4401 Hardy Street (Latitude/Longitude: 31.325674, -89.356218) (Parcel 051J-12-039.000, PPIN 15030, Ward 3).
 The Planning Commission recommended to DENY on Sept 7, 2016.

Attachments: [September PC Minutes \(draft\)](#)
 [Image Sheet- 4401 Hardy Street \(Variance & Use Permit\)](#)
 [Staff Summary - 4401 Hardy Street \(Use Permit Upon Review\)](#)
 [Applicant Summary - 4401 Hardy St - Use Permit](#)
 [4401 HardySt - Document submitted by applicant at HPC 9-7-16](#)

- VI.-4** [2016-2961](#) Rescind Resolution Number 2016-25, adopted February 16, 2016, and found at Minute Book 2016, page 40.

Attachments: [RES NO. 2016-25](#)

- VI.-5** [2016-2960](#) Adopt a resolution supporting Hattiesburg Hospitality H.I., LLC, a full service hotel development project with guest amenities, and acknowledging that sales tax collected from the project will be diverted to the sales tax rebate fund for a period of up to fifteen(15) years, or when the aggregate amount of the thirty percent(30%) of the approved project cost 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 CCode of 1972, as amended for related purposes.

Attachments: [RES - Hattiesburg Hospitality, LLC](#)

- VI.-6** [2016-488](#) Adopt a Resolution setting Public Hearing before City Council on Monday, October 17th, 2016 to determine if certain properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community and providing for notice to owners and authorize publication of the notice hearing.

Attachments: [1.\) Setting P.H. MEMO](#)
 [2.\) Setting P.H. RESO](#)

- VI.-7** [2016-2947](#) Approve Memorandum of Understanding (MOU) between the City

of Hattiesburg and the Mississippi Development Authority for the Economic Development Highway Project USM / Mid-Town Masters Plan in the amount of \$3,000,000.00; Authorize mayor to execute in triplicate.

Attachments: [USM-MidTown Letter](#)
 [USM-MidTown MOU](#)

- VI.-8** [2016-2945](#) Approve contract between the City of Hattiesburg and Neel-Schaffer, Inc. for Construction Engineering & Inspection (CE&I) services related to the Tuscan Ave Sidewalk Improvements Project No. STP-7197-00(002)/LPA106879-701000, Forrest County for \$49,757.02; Authorize Mayor to execute in duplicate.

Attachments: [Neel-Schaffer CEI Contract](#)
 [Tuscan Ave Contract Review Letter](#)

- VI.-9** [2016-2946](#) Approve contract between the City of Hattiesburg and Neel-Schaffer, Inc. for Construction Engineering & Inspection (CE&I) services related to the Safe Routes to School-Hawkins Sidewalk Project No. SRSP-7207-00(004)/LPA106877-401000, Forrest County for \$32,776.59; Authorize Mayor to execute in duplicate.

Attachments: [Hattiesburg 106877 CEI Contract Approval Letter 8-24-16](#)
 [Neel-Schaffer CEI Contract](#)

- VI.-10** [2016-2955](#) Accept and approve the appraisal of \$19,950.00 submitted for certain land (Parcel No. 2-042J-36-006.00) in Forrest County to be acquired from Store Master Funding VI, LLC for an obstruction removal project at Bobby L. Chain Municipal Airport as just compensation for the listed parcel of property; Approve the purchase of said parcel and Authorize the issuance of a manual check to Jackson & Arrington, PLLC, Trust Account, for closing transactions in the amount of \$19,950.00, pending acceptable title opinion and executed documentation.

Attachments: [Aviation Easement-July 22](#)
 [JMTatum-review](#)
 [Signed Letter of Intent 8-15-16](#)

- VI.-11** [2016-2956](#) Accept donation and Acknowledge receipt of Warranty Deed from Wesley Health Systems, LLC for property located at Lot 11, Methodist Medical Park, Hattiesburg, MS (Parcel 051L-11-043.00).

Attachments: [Warranty Deed-1500 GPM Plant 2](#)

- VI.-12** [2016-2950](#) Approve and authorize Mayor to execute a License for A Pedestrian Sidewalk Crossing Agreement between the City of Hattiesburg and the Illinois Central Railroad Company for a sidewalk project along Buschman Street.

Attachments: [Pedestrian Sidewalk Crossing License-Illinois Central RR](#)

- VI.-13** [2016-2951](#) Authorize Mayor to execute LED Lighting Proposal with Mississippi Power Company to replace 613 - 150 watt Cobra Head fixtures with new 90 watt LED fixtures within the City of Hattiesburg for a net increase in the monthly account of \$436.13.

Attachments: [Hattiesburg Lighting Proposal](#)

- VI.-14** [2016-2952](#) Authorize Mayor to execute an LED Lighting Proposal with Mississippi Power Company to install lighting fixtures at the new Parks and Recreation Building and Roadway at Tatum Park for a one time fee of \$17,800.00 and a net increase in the monthly account of \$832.92.

Attachments: [Hattiesburg lighting proposal \(Tatum Park\)](#)

- VI.-15** [2016-2953](#) Authorize Mayor to execute an LED Lighting Proposal with Mississippi Power Company to upgrade lighting on County Drive between Helveston Road and Edwards Street for a net increase in the monthly account of \$152.04.

Attachments: [Hattiesburg Lighting proposal \(County Drive\)](#)

- VI.-16** [2016-2923](#) Authorize Mayor to execute agreement between the Mississippi State Fire Academy (MSFA) and the Hattiesburg Fire Department to administer the Candidate Physical Ability Test (CPAT) for 20 Hattiesburg Fire Department Personnel at a cost of \$1130.00.

Attachments: [CPAT 2016 State Fire Academy](#)

- VI.-17** [2016-2958](#) Authorize Mayor to execute Agreement between the City of Hattiesburg and the Hattiesburg Convention Commission allowing the City to apply the Convention Center's refund from Mississippi Power to debt related to the Series 1998 General Obligation Bonds, Saenger Theater Project.

Attachments: [2016 Saenger Bond Payment Credit Agreement with City of Hbg](#)

- VI.-18** [2016-2931](#) Acknowledge receipt of and approve the budget for the Hattiesburg Convention Commission for the Fiscal Year 2016-2017.

Attachments: [FYE 2017 Budget- HCC](#)

- VI.-19** [2016-2959](#) Acknowledge receipt of and approve the amended FYE 2016 budget for the Hattiesburg Convention Commission.

Attachments: [2016 Amended Budget.](#)

- VI.-20** [2016-2954](#) Acknowledge receipt of the U.S. Department of Transportation and the Federal Transit Administration grant award for the FY2016 Hattiesburg Transit Facility Renovation and Upgrade, Project MS-2016-07-00 in the total amount of \$615,566.00 with \$492,453.00 being the actual award and \$123,113.00 being the

local match.

Attachments: [FY2015 Hattiesburg Transit Facility Renovation and Upgrade](#)

- VI.-21** [2016-2942](#) Designate the Hattiesburg Unified Southern Fried Pride event to be held from 11 a.m. to 5 p.m. Saturday, October 8, 2016, at Town Square Park as a city-approved event for the purposes described in Ordinance Number 3148.

Attachments: [Southern Fried Pride 2016 email correspondence](#)
[Southern Fried Pride Beer Permit, Privilege License, Tax ID](#)

- VI.-22** [2016-495](#) Adopt a Resolution to Adopt the Budget for the City of Hattiesburg, Mississippi for the fiscal year beginning October 1, 2016 and ending September 30, 2017.

Attachments: [RES-2016-17 Budget](#)
[2016-2017 budget \(with revision notes\)](#)
[Budrequests 2017-revised](#)
[MEMO-Council Revisions](#)

- VI.-23** [2016-0162](#) Adopt an Ordinance to amend Ordinance Number 3198, adopted May 3, 2016, regulating parades, rallies and other similar uses of public places; authorizing the chief of police to receive applications and issue permits and providing standards for issuance thereof; establishing a procedure for appeal; requiring indemnification and comprehensive general liability insurance; establishing and/or revising certain parade regulations; and making it unlawful to violate the provisions of this ordinance.

Attachments: [Ordinance - Amended Parade, 2016-redlined](#)
[Ordinance - Amended Parade, 2016](#)

VII. ROUTINE AGENDA

- VII.-1** [2016-2937](#) Acknowledge receipt of Notice of Adoption of the Motor Vehicle Assessment Schedule received from the Mississippi Department of Revenue and adopt same for the City of Hattiesburg for the fiscal year beginning October 1, 2016 and ending September 31, 2017; and authorize publication of public notice and order setting a hearing for October 17, 2016 before the council to hear complaints or objections to the adoption of the Motor Vehicle Assessment Schedule.

Attachments: [PH- Notice 2016-2017 Motor Veh Sch](#)
[Assessment Schedule](#)

- VII.-2** [2016-2929](#) Acknowledge receipt of monthly budget report for the month ending August 31, 2016, on permanent file in City Clerk's office.

Attachments: [EXP16.0816](#)
 [REV16.0816](#)

- VII.-3** [2016-2936](#) Authorize Mayor to execute yearly maintenance agreement with Forerunner Technologies, Inc for City Hall, Police Department, Police Academy, & Train Depot

Attachments: [09-20-Forerunner Maintenance Agreement](#)

- VII.-4** [2016-2940](#) Authorize submission of grant application to Mississippi Department of Environmental Quality (MDEQ) for the 2016 Solid Waste Assistance Grant in the amount of \$75,000.00 to fund a Household Hazardous Waste "Right Way to Throw Away Day" (Amnesty Day).

Attachments: [2016 Solid Waste Assistance Grant](#)

- VII.-5** [2016-2938](#) Acknowledge bids received on September 1, 2016 for one (1) Diesel Powered Generator at the Hattiesburg Intermodal Facility and accept the bid from Energy Systems Southeast, LLC in the amount of \$108,044.00 as the lowest and best bid.

Attachments: [Generator Bid Tabulation-Lowest Bid Acceptance](#)

- VII.-6** [2016-2939](#) Approve plans and specifications for the Tuscan Avenue Sidewalk Project STP-7197-00(002) LPA/106879-701000; Authorize advertisement for bids for same.

Attachments: [Tuscan Ave-Authority to Advertise](#)
 [Tuscan Ave Final Plans 6-30-2016](#)
 [Tuscan Ave Final Specs 6-30-16](#)
 [Tuscan Ave-Bid Advertisement](#)

- VII.-7** [2016-2941](#) Authorize the Mayor to execute a HOME Program Downpayment Assistance Award in the amount of \$11,567.00 to Louise Mitchell and Milton Williams; Approve and authorize issuance of a manual check for the same, per attached memorandum. {Entitlement}

Attachments: [MEMORANDUM-DPA Manual Checks-HOME](#)
 [GRANT RECIPIENT Homebuyer Louise Mitchell](#)
 [Homebuyer Agreement Louise Mitchell](#)

- VII.-8** [2016-2932](#) Approve the sale of grave spaces, per attached memo.

Attachments: [Deed Receipts \(09-20-16\)](#)
 [Deeds \(09-20-16\)](#)

- VII.-9** [2016-2957](#) Approve claims docket for the period ending September 16, 2016.

Attachments: [9-20- claims docket](#)