

# **City of Hattiesburg, MS**

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



## **Minutes Report**

**Tuesday, April 2, 2019**

**5:00 PM**

**Council Chambers**

**City Council**

**I. Call to Order**

BE IT REMEMBERED that the regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, April 2, 2019, in Council Chambers at City Hall.

Those present included Mayor Toby Barker and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Mary Dryden, Ward 4; and Nicholas Brown, Ward 5. Others in attendance included Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Clerk of Council, Ronda S. Cole; Deputy Clerk of Council, Lisa Luu; City staff members; media; and the public.

Council President Carroll Called the meeting to order.

**II. Call to Prayer and Pledge of Allegiance**

The prayer was given by

Pastor Dewayne Higgins of Grace Temple Church.

The Pledge of Allegiance was led by Assistant Chief Sealy.

**III. Agenda Order**

THE MATTER OF THE AGENDA ORDER came before the Council.

There were no additions or deletions to the agenda.

**IV. PRESENTATION AGENDA**

THE PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

**V. POLICY AGENDA**

THE POLICY AGENDA came before the Council.

**V.-1**     [2019-270](#)

Approval of minutes - for the March 18, 19 & 26, 2019 meetings of the City Council.

**Attachments:**   [3-18-19 AR Mins.](#)

[3-19-19 Mins.](#)

[3-26-19 SC Mins.](#)

**A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve the minutes for the March 18, 19 & 26, 2019 meetings of the City Council.**

**There being no discussion, the Motion received the affirmative vote of the Council as follows:**

**Yeas: 5 - George, Delgado, Carroll, Dryden and Brown**

**Nays: 0**

**V.-2**     [2019-255](#)

Adopt Resolution determining the following properties are in such a state of uncleanness as to be a menace to the health and safety of the community.

**Attachments:**   [Public Hearing resolution 4.1.19](#)  
[2. 1305 Rebecca Ave resolution](#)  
[3. 813 New Orleans St resolution](#)  
[4. 511 Katie Ave resloution](#)  
[5. 742 Monroe St resolution](#)  
[6. 1313 Vernon St resolution](#)  
[7. 100 Tuscan Ave resolution](#)  
[8. 104 Tuscan Ave resolution](#)  
[9. 1216 Allen St resolution](#)  
[10. 600 Bouie St\(17318\) resolution](#)  
[11. 600 Bouie St \(17319\) resolution](#)  
[12. 42Collins Rd resolution](#)  
[13. 102 Roy St \(13025\) resolution](#)  
[14. 102 Roy ST \(13026\) resolution](#)

**A MOTION was made by Council Member Brown and seconded by Council Member George to Adopt Resolution (#2019-104-116) determining the following properties are in such a state of uncleanness as to be a menace to the health and safety of the community.**

**There being no discussion, the Motion received the affirmative vote of the Council as follows:**

**Yeas: 5 - George, Delgado, Carroll, Dryden and Brown**

**Nays: 0**

**V.-3**     [2019-244](#)

Adopt Resolutions adjudicating and directing the placement as an assessment for the cleanup costs, not to exceed the value of the property per State law, against the following properties.

**Attachments:**   [Request to adjudicate 4.2.19](#)

- [1. 607 Graymont Ave](#)
- [2. 202 S 14th Ave](#)
- [3. 1600 E. Hardy St \(20242\)](#)
- [4. 1600 E. Hardy St \(33661\)](#)
- [5. 708 River St](#)
- [6. 804 E 6th St](#)
- [7. 116 Oak St](#)
- [8. 717 Walnut ST](#)
- [9. 3407 Tiltree Rd](#)
- [10. 403 Miller St](#)

**A MOTION** was made by Council Vice President Dryden and seconded by Council Member George to Adopt Resolutions (#2019-117-126) adjudicating and directing the placement as an assessment for the cleanup costs, not to exceed the value of the property per State law, against the following properties.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

**Yeas:** 5 - George, Delgado, Carroll, Dryden and Brown

**Nays:** 0

**V.-4**     [2019-265](#)

Adopt the April 2, 2019 Amendments to the Budget for the City of Hattiesburg for the fiscal year ending September 30, 2019 and adopt Resolution authorizing publication of amendments for funds in excess of 10% of the original appropriation fund balance.

**Attachments:**   [April 2019 Budget Amendments](#)

**A MOTION** was made by Council Member George and seconded by Council Member Brown to Adopt the April 2, 2019 Amendments to the Budget for the City of Hattiesburg for the fiscal year ending September 30, 2019 and adopt Resolution (#2019-127) authorizing publication of amendments for funds in excess of 10% of the original appropriation fund balance.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

**Yeas:** 5 - George, Delgado, Carroll, Dryden and Brown

**Nays:** 0

**V.-5**     [2019-268](#)

Adopt a Resolution approving the form of and authorizing the execution of an Interlocal Agreement between Forrest County and the City of Hattiesburg in connection with the City's Tax Increment Limited Obligation Bonds (Elam Arms Development Project) to facilitate the implementation and development of the Elam Arms Development Project; and for related purposes.

**Attachments:**   [Resolution TIF Bonds \(Elam Arms\) \(2019\) \(169345\) - City Resolution Approving Interlocal Agreement April 2019](#)  
[Elam Arms Development TIF Interlocal Agreement Forrest County April 2019](#)  
[Executed Resolution #2019-128 aproving Interlocal Agreement wForrest County for Elam Arms Development Project](#)

**A MOTION was made by Council Member George and seconded by Council Member Brown to Adopt a Resolution (#2019-128) approving the form of and authorizing the execution of an Interlocal Agreement between Forrest County and the City of Hattiesburg in connection with the City's Tax Increment Limited Obligation Bonds (Elam Arms Development Project) to facilitate the implementation and development of the Elam Arms Development Project; and for related purposes.**

**There being no discussion, the Motion received the affirmative vote of the Council as follows:**

**Yeas: 5 - George, Delgado, Carroll, Dryden and Brown**

**Nays: 0**

**V.-6**     [2019-261](#)

Adopt a Resolution authorizing Requisition No. 39 from the Project Fund Construction Account in connection with a certain loan agreement dated August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg.

**Attachments:**   [2016 Bond Resolution No. 39](#)

**A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt a Resolution (#2019-129) authorizing Requisition No. 39 from the Project Fund Construction Account in connection with a certain loan agreement dated August 18, 2016, by and between the Mississippi Development Bank and the City of Hattiesburg.**

**There being no discussion, the Motion received the affirmative vote of the Council as follows:**

**Yeas: 5 - George, Delgado, Carroll, Dryden and Brown**

**Nays: 0**

**V.-7**     [2019-259](#)

Adopt a Resolution requesting the Mississippi Department of Transportation (MDOT) to initiate the Drainage Study of Gordon's Creek in Relation to the Re-construction of Lincoln Road; authorize Mayor to execute letter to MDOT requesting initiation.

**Attachments:**   [MDOT.Hattiesburg Activation Letter](#)  
[Resolution to Initiate Lincoln Road Drainage Project](#)  
[COH - Final Financial Statements FY2017](#)  
[Sharon Waits 2017](#)  
[11286 vicinity map](#)  
[Lincoln Road Project #122](#)

**A MOTION was made by Council Vice President Dryden and seconded by Council Member Brown to Adopt a Resolution (#2019-130) requesting the Mississippi Department of Transportation (MDOT) to initiate the Drainage Study of Gordon's Creek in Relation to the Re-construction of Lincoln Road; authorize Mayor to execute letter to MDOT requesting initiation.**

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

**V.-8**     [2019-262](#)

Adopt an ordinance amending Ordinance No. 3236 as it relates to Small Cell Technology in the City's rights-of-way.

**Attachments:**   [2019 Amendment - Final](#)

**A MOTION was made by Council Vice President Dryden and seconded by Council Member Delgado to Adopt an Ordinance (#3251) amending Ordinance No. 3236 as it relates to Small Cell Technology in the City's rights-of-way.**

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

**V.-9**     [2019-245](#)

Approve agreement with Shows, Dearman and Waits, Inc. for Engineering Services related to the East Jerusalem Area Water Line Replacement project; Authorize the Mayor to execute in duplicate.

**Attachments:**   [11284 SFA Owner Engineer Transmittal](#)  
[11284 Standard Form of Agreement Between Owner and Engineer](#)

A MOTION was made by Council Member Delgado and seconded by Council Vice President Dryden to Approve agreement with Shows, Dearman and Waits, Inc. for Engineering Services related to the East Jerusalem Area Water Line Replacement project; Authorize the Mayor to execute in duplicate.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

**V.-10**     [2019-249](#)

Authorize Mayor to execute lighting request with Mississippi Power Company to provide lighting repairs at Bonhomie Street from Wisteria Drive south to St. Claire for a net increase to the monthly bill of \$34.36.

**Attachments:**   [Lighting Repairs for Bonhomie Street, Hattiesburg](#)

A MOTION was made by Council Member Brown and seconded by Council Vice President Dryden to Authorize Mayor to execute lighting request with Mississippi Power Company to provide lighting repairs at Bonhomie Street from Wisteria Drive south to St. Claire for a net increase to the monthly bill of \$34.36.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0



**V.-11**    [2019-250](#)

Authorize Mayor to execute lighting request with Mississippi Power Company to provide lighting repairs at Atlanta and Fairley Streets for a net increase to the monthly bill of \$100.21.

**Attachments:**    [MS Power-Atlanta and Fairley Streets](#)

**A MOTION was made by Council Member Delgado and seconded by Council Member George to Authorize Mayor to execute lighting request with Mississippi Power Company to provide lighting repairs at Atlanta and Fairley Streets for a net increase to the monthly bill of \$100.21.**

**There being no discussion, the Motion received the affirmative vote of the Council as follows:**

**Yeas: 5 - George, Delgado, Carroll, Dryden and Brown**

**Nays: 0**

**V.-12**    [2019-252](#)

Authorize Mayor to execute lighting request with Mississippi Power Company to provide lighting repairs at Ida Avenue, end of Baxter-900 Baxter for a net increase to the monthly bill of \$12.47.

**Attachments:**    [MS Power-Ida End of Baxter-900 Baxter](#)

**A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Authorize Mayor to execute lighting request with Mississippi Power Company to provide lighting repairs at Ida Avenue, end of Baxter-900 Baxter for a net increase to the monthly bill of \$12.47.**

**There being no discussion, the Motion received the affirmative vote of the Council as follows:**

**Yeas: 5 - George, Delgado, Carroll, Dryden and Brown**

**Nays: 0**

**V.-13**    [2019-266](#)

Authorize Mayor to execute Pool Management Agreement between the City of Hattiesburg and Michelle Williams for the management operation of the City of Hattiesburg Summer Aquatic Program.

Attachments:    [2019 Pool Management Agreement](#)

**A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Authorize Mayor to execute Pool Management Agreement between the City of Hattiesburg and Michelle Williams for the management operation of the City of Hattiesburg Summer Aquatic Program.**

**There being no discussion, the Motion received the affirmative vote of the Council as follows:**

**Yeas: 5 - George, Delgado, Carroll, Dryden and Brown**

**Nays: 0**

**V.-14**    [2019-257](#)

Declare and approve a sole source purchase covering rental of election equipment and related services for the upcoming municipal special election, as provided for in MS Code Section 31-7-13(m) (viii), based on information in the attached memorandum; authorize City Clerk to execute rental agreement with Election Systems and Software, Inc., in an amount not to exceed \$17,490.00.

Attachments:    [ES&S 4-23-19 agreement](#)  
[Memo-1% special election-SS](#)

**A MOTION was made by Council Member Delgado and seconded by Council Member George to Declare and approve a sole source purchase covering rental of election equipment and related services for the upcoming municipal special election, as provided for in MS Code Section 31-7-13(m) (viii), based on information in the attached memorandum; authorize City Clerk to execute rental agreement with Election Systems and Software, Inc., in an amount not to exceed \$17,490.00.**

**There being no discussion, the Motion received the affirmative vote of the Council as follows:**

**Yeas: 5 - George, Delgado, Carroll, Dryden and Brown**

**Nays: 0**

**VI. ROUTINE AGENDA**

THE ROUTINE AGENDA came before the Council.

A MOTION was made by Council Member George and seconded by Council Member Brown to approve the Routine Agenda.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

**VI.-1     [2019-247](#)**

Acknowledge receipt of the two quote bid purchase docket report for the period of February 25, 2019 through March 21, 2019 as provided for in Section 31-7-13 (b) of the Mississippi Code of 1972.

**Attachments:**   [UAB Report](#)  
[2798 FINAL](#)  
[2799 FINAL](#)  
[2800 FINAL](#)  
[2801FINAL](#)  
[2802 FINAL](#)  
[2803 FINAL](#)  
[2805 FINAL](#)  
[Memo for Council](#)

**VI.-2     [2019-240](#)**

Acknowledge the donation of four (4) sets of Tactical Rifle rated Body Armor from The Hattiesburg Fraternal Order of Police, to be used by Entry Team Officers of the Hattiesburg Police Department with a value of \$6,096.39.

**Attachments:**   [Hattiesburg Fraternal Order of Police Donation](#)

**VI.-3 Removed.**

**VI.-4**     [2019-263](#)

Acknowledge bids received March 14, 2019 for the 38th Avenue Sidewalk Project and accept the bid from L and A Contracting Company in the amount of \$561,965.60 as the lowest and best bid; Authorize the Mayor to execute contracts and related documents upon preparation.

**Attachments:**   [38th Ave Sidewalk Ltr](#)  
[38th Ave Sidewalk Cert Bid Tab](#)  
[38th Ave Pathway Final Specs](#)  
[38th Ave Pathway Final Plans](#)

**VI.-5**     [2019-258](#)

Acknowledge receipt of proposals received March 21, 2019 for two (2) Year Depositories and accept all proposals received.

**Attachments:**   [BANCORPSOUTH BANK BID](#)  
[TRUSTMARK BANK BID](#)  
[COMMUNITY BANK BID](#)  
[GREAT SOUTHERN BANK BID](#)  
[CITIZENS BANK BID](#)  
[FIRST BANK BID](#)  
[HANCOCK WHITNEY BANK BID](#)  
[REGIONS BANK BID](#)

**VI.-6**     [2019-256](#)

Acknowledge the submission of the 2018 Consolidated Annual Performance and Evaluation Report (CAPER) to the Department of Housing and Urban Development (HUD). {Entitlements}

**Attachments:**   [2018 Final CAPER](#)

**VI.-7**     [2019-248](#)

Approve and authorize issuance of manual check for HOME Program Claim per the attached memorandum. {Entitlement HOME}

**Attachments:**   [Payment Request #1 for 908 Dabbs Street](#)  
[MEMORANDUM for HOME Check Request April 2, 2019 for 908 Dabbs Street](#)

**VI.-8**     [2019-243](#)

Approve the sale of grave spaces, per attached Memo's, Receipts, and Deeds.

**Attachments:**   [Memo's \(04-02-19\)](#)  
                          [Receipts \(04-02-19\)](#)  
                          [Deeds \(04-02-19\)](#)

**VI.-9**     [2019-260](#)

Approve claims docket for the period ending March 31,2019.

**Attachments:**   [DOCKET 19.03-31](#)

**VI.-10**   [2019-271](#)

Acknowledge receipt of bids received on March 28, 2019 for Term Bid Item # 2(Repair and Rehabilitation of Streets for the City of Hattiesburg) and accept the bids of Warren Paving as the Primary bidder and accepting Dunn Roadbuilders as Alternate bidder.

**Attachments:**   [Warren Paving](#)  
                          [Dunn](#)  
                          [Bid Tab #2 Repair and Rehab of City Streets](#)

**VII. Recess**

By unanimous consent, Council President Carroll declared the meeting recessed at 5:08 p.m., this the 2nd day of April, 2019.