City of Hattiesburg, MS

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

Meeting Agenda - Final

Wednesday, August 21, 2013

5:30 PM

Council Chambers

City Council - Special Called Meeting

City Council
Special Called Meeting

1 2013-0530 Rescind Intent Resolution Policy Agenda Item No. 2 adopted on August 20, 2013. Adopt Resolution declaring the intent of the Mayor and City Council of the City of Hattiesburg to issue combined water and sewer system revenue bonds, or to borrow funds by entering into a loan with the Mississippi Development Bank, in an amount not to exceed $28 Million Dollars, to raise money for the purpose of providing funds for improving, repairing, and extending the combined water and sewer system of the City of Hattiesburg and refunding the outstanding City of Hattiesburg $3,000,000 General Obligation Note, Series 2013 dated March 19, 2013, and authorize publication of same.

Attachments: Amended Intent Resolution Water Sewer $28M Bonds
executed Amended Intent Resolution Water Sewer $28M Bonds

2 2013-0531 Discuss and consider options and possible action to retain legal representation to handle negotiations with Groundworx, LLC, for the City's land application wastewater treatment system.

3 2013-0535 Ratify and confirm the re-appointment of Nina Arrington Smith (W1) to the Election Commission for a four-year term beginning July 1, 2013 and ending June 30, 2017.

Attachments: Election Smith-N Smith

4 2013-0533 Ratify and confirm the re-appointment of Mary Lee Bourne (W2) to the Election Commission for a four-year term beginning July 1, 2013 and ending June 30, 2017.

Attachments: Election Commission-Bourne

5 2013-0536 Ratify and confirm the appointment of Joe Kinnan (W3) to the Election Commission for a term (7/1/13 - 6/30/17) beginning August 21, 2013 and ending June 30, 2017.

Attachments: Election Commission-Kinnan

6 2013-0537 Ratify and confirm the appointment of Turner Jones (W4) to the Election Commission for a term (7/1/13 - 6/30/17) beginning August 21, 2013 and ending June 30, 2017.

Attachments: Election Commission-T Jones

7 2013-0534 Ratify and confirm the re-appointment of Daisy Lee Wade (W5) to the Election Commission for a four-year term beginning July 1, 2013 and ending June 30, 2017.

Attachments: Election Commission-Wade

City of Hattiesburg, MS

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

Master

File Number: 2013-0530

File ID: 2013-0530 **Type:** Resolution **Status:** Passed

Version: 1 **Reference:** **In Control:** City Council

File Created: 08/21/2013

Brief Title: Rescind Intent Resolution adopted on August 20, 2013; Adopt Amended Intent Resolution to issue water and sewer revenue bonds or borrow funds from Mississippi Development Bank in the amount of $28M and authorize publication of same

Final Action: 08/21/2013

Minute Book Number: MB2013-243

Title: Rescind Intent Resolution Policy Agenda Item No. 2 adopted on August 20, 2013. Adopt Resolution declaring the intent of the Mayor and City Council of the City of Hattiesburg to issue combined water and sewer system revenue bonds, or to borrow funds by entering into a loan with the Mississippi Development Bank, in an amount not to exceed $28 Million Dollars, to raise money for the purpose of providing funds for improving, repairing, and extending the combined water and sewer system of the City of Hattiesburg and refunding the outstanding City of Hattiesburg $3,000,000 General Obligation Note, Series 2013 dated March 19, 2013, and authorize publication of same.

Notes:

Sponsors: **Enactment Date:**

Attachments: Amended Intent Resolution Water Sewer $28M Bonds, executed Amended Intent Resolution Water Sewer $28M Bonds

Enactment Number:

Contact: Connie Everett **Meeting Date:** 08/21/2013

Drafter: Connie Everett **Effective Date:**

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Special Called Meeting	08/21/2013	Adopt				Pass

Action Text: A MOTION was made by Council member Naylor and seconded by Council member Carroll to Rescind Intent Resolution Policy Agenda Item No. 2 adopted on August 20, 2013 [and] Adopt Resolution declaring the intent of the Mayor and City Council of the City of Hattiesburg to issue combined water and sewer system revenue bonds, or to borrow funds by entering into a loan with the Mississippi Development Bank, in an amount not to exceed $28 Million Dollars, to raise money for the purpose of providing funds for improving, repairing, and extending the combined water and sewer system of the City of Hattiesburg and refunding the outstanding City of Hattiesburg $3,000,000 General Obligation Note, Series 2013 dated March 19, 2013, and authorize publication of same.

Ms. Everett explained that certain wording was left out of the resolution adopted August 20 and that this resolution corrects it. She said it has always been the intent to use a portion of the bond proceeds to pay off the $3 million note [the City] secured for additional lagoon dredging; she said that intent needed to be expressed in the resolution.

Council member Carroll stated that he remembers discussion [to that effect].

Following discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

Council member Delgado said that she has come across an option for sewer repair that would be far less costly to citizens. She said she trusts that her vote in favor of [rescinding and adopting these resolutions] is just for money and not for moving forward with any [projects] already voted on by the Council.

Yea:	5	Bradley Delgado Carroll Naylor Dryden
TEL-No Vote:	0	

Text of Legislative File 2013-0530

Title

Rescind Intent Resolution Policy Agenda Item No. 2 adopted on August 20, 2013. Adopt Resolution declaring the intent of the Mayor and City Council of the City of Hattiesburg to issue combined water and sewer system revenue bonds, or to borrow funds by entering into a loan with the Mississippi Development Bank, in an amount not to exceed $28 Million Dollars, to raise money for the purpose of providing funds for improving, repairing, and extending the combined water and sewer system of the City of Hattiesburg and refunding the outstanding City of Hattiesburg $3,000,000 General Obligation Note, Series 2013 dated March 19, 2013, and authorize publication of same.

Summary

Budget Information

Expenditure Type

Purchasing Item

Publication Information

Publish September 13, 20, and 27, 2013

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI, TO ISSUE COMBINED WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2013, OF THE CITY OF HATTIESBURG, MISSISSIPPI, OR TO BORROW FUNDS BY ENTERING INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED TWENTY EIGHT MILLION DOLLARS ($28,000,000) 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) REFUNDING THE OUTSTANDING CITY OF HATTIESBURG, MISSISSIPPI $3,000,000 GENERAL OBLIGATION NOTE, SERIES 2013, DATED MARCH 19, 2013; AND (III) FOR OTHER AUTHORIZED PURPOSES UNDER MISSISSIPPI CODE SECTIONS 31-25-1 ET SEQ., AS AMENDED, AND/OR SECTIONS 21-27-23 AND 21-27-41 THROUGH 21-27-69, AS AMENDED, AS APPLICABLE; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION.

WHEREAS, the City of Hattiesburg, Mississippi (the "City"), is authorized under the provisions of Mississippi Code 1972 Annotated, Sections 21-27-23 and 21-27-41 through 21-27-69, as amended (the "Act") and/or, as applicable, Sections 31-25-1 et seq., Mississippi Code of 1972, as amended (the "Bank Act"), to issue bonds hereinafter proposed to be issued under the Act or to enter into a loan for the purposes and amounts set forth herein under the Act and the Bank Act, as applicable; and

WHEREAS, the Mayor and City Council of the City (the "Governing Body") find and determine that it is necessary and proper to provide funds for (i) repairing, improving and extending the combined water and sewer system of the City (the "System") which repairs, improvements, and extensions are to be done substantially in accordance with plans and specifications prepared by engineers employed by the City and approved by the Governing Body, (ii) refunding the outstanding $3,000,000 General Obligation Note, Series 2013, dated March 29, 2013, of the City, and (iii) other authorized purposed under Mississippi Code Sections 31-25-1 et seq., as amended and/or Sections 21-27-23 and 21-27-41 through 21-27-69, as amended, as applicable (together, the "Project"); and

WHEREAS, the Governing Body has caused an estimate to be made of the cost of such Project from which estimate the Governing Body finds that the contemplated costs thereof will not exceed Twenty Eight Million Dollars ($28,000,000); and

WHEREAS, it is necessary for the health and well-being of the citizens of the City to issue Combined Water and Sewer System Revenue Bonds, Series 2013 (the "Bonds") of the City or to borrow funds by entering into a loan (the "Loan") with the Mississippi Development Bank, all in the principal amount of not to exceed Twenty Eight Million Dollars ($28,000,000) to raise money for the purpose of providing funds for the Project; and

WHEREAS, it is necessary, proper and economically feasible that the City issue its Bonds pursuant to the Act or to enter into a Loan with the Mississippi Development Bank, pursuant to the Act and the Bank Act, for the purposes herein stated and under the procedures hereinafter set forth and as provided by law; and

WHEREAS, the City reasonably expects that it will incur expenditures prior to the issuance of the Bonds or entering into the Loan with the Mississippi Development Bank, which it intends to reimburse with the proceeds of the Bonds upon the issuance thereof or the date of entering into the Loan. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds or entering into the Loan in anticipation of the issuance of the Bonds or entering into the Loan is made pursuant to Department of Treasury regulations Section 1.150-2 (the Reimbursement Regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued for the Project is the amount hereinabove set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. The Governing Body hereby declares its intention to issue the Bonds pursuant to the Act or enter into the Loan with the Mississippi Development Bank pursuant to the Act and the Bank Act, in the principal amount of not to exceed Twenty Eight Million Dollars ($28,000,000) to raise money for the purpose of providing funds for the Project.

SECTION 2. The principal and interest on the said Bonds or the Loan with the Mississippi Development Bank shall be payable over a period not to exceed thirty (30) years solely from net revenue derived and to be derived from operation of the System. Said Bonds or Loan with the Mississippi Development Bank shall not constitute an indebtedness of the City within the meaning of any statutory or charter restriction, limitation, or provision, and the taxing power of the City will not be pledged to the payment of said Bonds or the Loan with the Mississippi Development Bank, but the same, together with the interest thereon, shall be payable solely from net revenues of the System.

SECTION 3. Unless a protest in writing signed by not less than twenty percent (20%) of the qualified electors of the City of Hattiesburg, Mississippi, objecting to and protesting against the issuance of said Bonds or entering into the Loan with the Mississippi Development Bank, is filed with the City Clerk on or before 5:00 o'clock p.m. on October 4, 2013, the Governing Body will authorize the issuance of the Bonds or the Loan with the Mississippi Development Bank at a meeting of the Governing Body set for 4:30 o'clock p.m. on October 8, 2013, which date shall be more than ten (10) days after the date of the last publication of this resolution. If such sufficient protest and objection is filed on or before the date and hour hereinabove set forth, the question of the issuance of said Bonds or entering into the Loan with the Mississippi Development Bank shall be submitted to an election to be held as provided in Mississippi Code 1972 Annotated, Section 21-27-43, as amended.

SECTION 4. This resolution shall be published once a week for at least three consecutive weeks in the *Hattiesburg American*, a newspaper published in the City of Hattiesburg, Mississippi, and having general circulation therein and qualified under the provisions of the laws of the State of Mississippi, and the last publication of this resolution shall be not more than ten (10) days prior to the date hereinabove set forth as the deadline for the filing of objection or protest and shall be more than ten (10) days prior to the date hereinabove set forth for the meeting of the Governing Body to authorize the issuance of the Bonds or entering into a Loan with the Mississippi Development Bank.

SECTION 5. The City Clerk is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of publication of this resolution and have the same before the Governing Body on the day and hour hereinabove specified.

SECTION 6. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds or entering into the Loan with the Mississippi Development Bank, which it intends to reimburse with the proceeds of the Bonds upon the issuance thereof or the date of entering into the Loan. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds or the authorization of the Loan in anticipation of the issuance of the Bonds or entering into the Loan is made pursuant to the Department of Treasury regulations Section 1.150-2 (the Reimbursement Regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued or borrowed for the Project is the amount hereinabove set forth.

SECTION 7. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilman ________________, seconded by Councilman ________________ and was adopted by the following roll call vote, to wit:

YEAS: **NAYS:** **ABSENT:**

The President thereby declared the motion carried and the resolution adopted this the 21st day of August, 2013.

(SEAL)

ATTEST:	**ADOPTED:**
______________________________	______________________________
CLERK OF COUNCIL	**PRESIDENT**

The above and foregoing resolution having been submitted to and approved by the Mayor, this the 21st day of August, 2013.

______________________________	______________________________
CITY CLERK	**MAYOR**

PUBLISH: September 13, 20 and 27, 2013

ButlerSnow 17292971v2

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI, TO ISSUE COMBINED WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2013, OF THE CITY OF HATTIESBURG, MISSISSIPPI, OR TO BORROW FUNDS BY ENTERING INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED TWENTY EIGHT MILLION DOLLARS ($28,000,000) 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) REFUNDING THE OUTSTANDING CITY OF HATTIESBURG, MISSISSIPPI $3,000,000 GENERAL OBLIGATION NOTE, SERIES 2013, DATED MARCH 19, 2013; AND (III) FOR OTHER AUTHORIZED PURPOSES UNDER MISSISSIPPI CODE SECTIONS 31-25-1 ET SEQ., AS AMENDED, AND/OR SECTIONS 21-27-23 AND 21-27-41 THROUGH 21-27-69, AS AMENDED, AS APPLICABLE; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION.

WHEREAS, the City of Hattiesburg, Mississippi (the "City"), is authorized under the provisions of Mississippi Code 1972 Annotated, Sections 21-27-23 and 21-27-41 through 21-27-69, as amended (the "Act") and/or, as applicable, Sections 31-25-1 et seq., Mississippi Code of 1972, as amended (the "Bank Act"), to issue bonds hereinafter proposed to be issued under the Act or to enter into a loan for the purposes and amounts set forth herein under the Act and the Bank Act, as applicable; and

WHEREAS, the Mayor and City Council of the City (the "Governing Body") find and determine that it is necessary and proper to provide funds for (i) repairing, improving and extending the combined water and sewer system of the City (the "System") which repairs, improvements, and extensions are to be done substantially in accordance with plans and specifications prepared by engineers employed by the City and approved by the Governing Body, (ii) refunding the outstanding $3,000,000 General Obligation Note, Series 2013, dated March 29, 2013, of the City, and (iii) other authorized purposed under Mississippi Code Sections 31-25-1 et seq., as amended and/or Sections 21-27-23 and 21-27-41 through 21-27-69, as amended, as applicable (together, the "Project"); and

WHEREAS, the Governing Body has caused an estimate to be made of the cost of such Project from which estimate the Governing Body finds that the contemplated costs thereof will not exceed Twenty Eight Million Dollars ($28,000,000); and

WHEREAS, it is necessary for the health and well-being of the citizens of the City to issue Combined Water and Sewer System Revenue Bonds, Series 2013 (the "Bonds") of the City or to borrow funds by entering into a loan (the "Loan") with the Mississippi Development Bank, all in the principal amount of not to exceed Twenty Eight Million Dollars ($28,000,000) to raise money for the purpose of providing funds for the Project; and

WHEREAS, it is necessary, proper and economically feasible that the City issue its Bonds pursuant to the Act or to enter into a Loan with the Mississippi Development Bank, pursuant to the Act and the Bank Act, for the purposes herein stated and under the procedures hereinafter set forth and as provided by law; and

WHEREAS, the City reasonably expects that it will incur expenditures prior to the issuance of the Bonds or entering into the Loan with the Mississippi Development Bank, which it intends to reimburse with the proceeds of the Bonds upon the issuance thereof or the date of entering into the Loan. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds or entering into the Loan in anticipation of the issuance of the Bonds or entering into the Loan is made pursuant to Department of Treasury regulations Section 1.150-2 (the Reimbursement Regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued for the Project is the amount hereinabove set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. The Governing Body hereby declares its intention to issue the Bonds pursuant to the Act or enter into the Loan with the Mississippi Development Bank pursuant to the Act and the Bank Act, in the principal amount of not to exceed Twenty Eight Million Dollars ($28,000,000) to raise money for the purpose of providing funds for the Project.

SECTION 2. The principal and interest on the said Bonds or the Loan with the Mississippi Development Bank shall be payable over a period not to exceed thirty (30) years solely from net revenue derived and to be derived from operation of the System. Said Bonds or Loan with the Mississippi Development Bank shall not constitute an indebtedness of the City within the meaning of any statutory or charter restriction, limitation, or provision, and the taxing power of the City will not be pledged to the payment of said Bonds or the Loan with the Mississippi Development Bank, but the same, together with the interest thereon, shall be payable solely from net revenues of the System.

SECTION 3. Unless a protest in writing signed by not less than twenty percent (20%) of the qualified electors of the City of Hattiesburg, Mississippi, objecting to and protesting against the issuance of said Bonds or entering into the Loan with the Mississippi Development Bank, is filed with the City Clerk on or before 5:00 o'clock p.m. on October 4, 2013, the Governing Body will authorize the issuance of the Bonds or the Loan with the Mississippi Development Bank at a meeting of the Governing Body set for 4:30 o'clock p.m. on October 8, 2013, which date shall be more than ten (10) days after the date of the last publication of this resolution. If such sufficient protest and objection is filed on or before the date and hour hereinabove set forth, the question of the issuance of said Bonds or entering into the Loan with the Mississippi Development Bank shall be submitted to an election to be held as provided in Mississippi Code 1972 Annotated, Section 21-27-43, as amended.

SECTION 4. This resolution shall be published once a week for at least three consecutive weeks in the *Hattiesburg American*, a newspaper published in the City of Hattiesburg, Mississippi, and having general circulation therein and qualified under the provisions of the laws of the State of Mississippi, and the last publication of this resolution shall be not more than ten (10) days prior to the date hereinabove set forth as the deadline for the filing of objection or protest and shall be more than ten (10) days prior to the date hereinabove set forth for the meeting of the Governing Body to authorize the issuance of the Bonds or entering into a Loan with the Mississippi Development Bank.

SECTION 5. The City Clerk is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of publication of this resolution and have the same before the Governing Body on the day and hour hereinabove specified.

SECTION 6. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds or entering into the Loan with the Mississippi Development Bank, which it intends to reimburse with the proceeds of the Bonds upon the issuance thereof or the date of entering into the Loan. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds or the authorization of the Loan in anticipation of the issuance of the Bonds or entering into the Loan is made pursuant to the Department of Treasury regulations Section 1.150-2 (the Reimbursement Regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued or borrowed for the Project is the amount hereinabove set forth.

SECTION 7. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilman Naylor, seconded by Councilman Carroll and was adopted by the following roll call vote, to wit:

YEAS:	Bradley Delgado Carroll Dryden Naylor	**NAYS:**	None	**ABSENT:**	

The President thereby declared the motion carried and the resolution adopted this the 21st day of August, 2013.

(SEAL)

ATTEST:

Debra K Bernardo

CLERK OF COUNCIL

ADOPTED:

Kip Bradley

PRESIDENT

The above and foregoing resolution having been submitted to and approved by the Mayor, this the 21st day of August, 2013.

Eddie R. Myers

CITY CLERK

Johnny L. DuPree

MAYOR

PUBLISH: September 13, 20 and 27, 2013

ButlerSnow 17292971v2

City of Hattiesburg, MS

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

Master

File Number: 2013-0531

File ID:	2013-0531	**Type:**	Regular Agenda Item	**Status:**	Passed
Version:	1	**Reference:**		**In Control:**	City Council
				File Created:	08/21/2013
Brief Title:	Discuss options and possible action to retain legal representation to handle negotiations with Groundworx, LLC.			**Final Action:**	08/21/2013
				Minute Book Number:	MB2013-244-245

Title:

Discuss and consider options and possible action to retain legal representation to handle negotiations with Groundworx, LLC, for the City's land application wastewater treatment system.

Notes:

Sponsors:		**Enactment Date:**	
Attachments:		**Enactment Number:**	
Contact:		**Meeting Date:**	08/21/2013
Drafter:	Debbie Bernardo	**Effective Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Special Called Meeting	08/21/2013	Approve				Pass

Action Text: A MOTION was made by Council member Dryden and seconded by Council member Naylor to retain Walter Weems [of Brunini law firm] to handle negotiations with Groundworx, LLC, for the City's land application wastewater treatment system.

Council President Bradley noted that Shea McNease of Hattiesburg Resource Group has advised the Council that there is a need for [an attorney with contractual experience] to review the first draft of the contract with Groundworx, LLC. Council President Bradley stated that attorney John Milner has an attorney in his firm, Walter Weems, who is already up to speed and that [the Brunini firm] has offered a reduced legal rate. Council President Bradley said that time is of the essence and that he hopes the Council can move on with the process.

Council member Delgado said her issue is that [the City] needs to hire local. She said she is not for this action moving forward anyway and that [the City] needs to look at more affordable and workable alternative for the citizens who will be paying rates. She stated that if the Council does move forward, it needs to recirculate local dollars, especially as this project will cost a tremendous amount.

Council member Dryden stated her understanding that local attorneys who specialize in [contractual law] are already working for Groundworx, so [hiring them] would be a conflict of interest.

Council President Bradley said [there is a need for contractual [expertise]; he said it will take a couple of weeks to bring somebody [unfamiliar with the project] up to speed. He said [John] Milner will handle the environmental [aspects of the contract] and that he has saved the City a lot of money. Council President Bradley said that three entities have to be considered: the City of Hattiesburg, Groundworx, L.L.C., and the investment group that will raise money for the project. He said it is in the best interests of the City to move forward.

Mayor DuPree said he has no problem with continuing with the legal counsel [Brunini]; he said he wants to get past this and move forward.

Council member Dryden asked if Mr. Weems is in same firm as Mr. Milner; Council President Bradley replied in the affirmative.

Council member Naylor stated that [the City] already has an [attorney] and that the mayor first introduced him. He said he is willing to consider someone local but no one local has been presented. Council member Delgado said she did not know this item would be on the agenda; Council President Bradley said it came up the previous night. He said time is of the essence, that [the City] needs to have a contract in place by mid-September and a conceptual plan in place by August 2014.

Council member Dryden said that she is in favor of moving forward as quickly as possible because of the smell [from the lagoon].

Council member Naylor stated his understanding is that the legal fees, which have been a concern in the past, will be reduced. Council President Bradley said they will be reduced by ten percent.

Following discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 4 - Bradley, Carroll, Dryden and Naylor

Nays: 1 - Delgado

Yea:	3	Bradley Carroll Naylor
Nay:	2	Delgado Dryden
TEL-No Vote:	0	

Text of Legislative File 2013-0531

Title

Discuss and consider options and possible action to retain legal representation to handle negotiations with Groundworx, LLC, for the City's land application wastewater treatment system.

Summary

Discuss options and possible action to retain legal representation to handle negotiations with Groundworx, LLC.

Budget Information

Expenditure Type

Purchasing Item

Publication Information

City of Hattiesburg, MS

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

Master

File Number: 2013-0535

File ID:	2013-0535	**Type:**	Regular Agenda Item	**Status:**	Denied
Version:	1	**Reference:**		**In Control:**	City Council
				File Created:	08/21/2013
Brief Title:	Election Commission, Smith, 2013-2017			**Final Action:**	
				Minute Book Number:	MB2013-246

Title:

Ratify and confirm the re-appointment of Nina Arrington Smith (W1) to the Election Commission for a four-year term beginning July 1, 2013 and ending June 30, 2017.

Notes:

Sponsors:		**Enactment Date:**	
Attachments:	Election Smith-N Smith	**Enactment Number:**	
Contact:		**Meeting Date:**	
Drafter:		**Effective Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Special Called Meeting	08/21/2013	Ratify and Confirm				Fail

Action Text: A MOTION was made by Council member Delgado and seconded by Council member Naylor to Ratify and confirm the re-appointment of Nina Arrington Smith (W1) to the Election Commission for a four-year term beginning July 1, 2013 and ending June 30, 2017.

Council President Bradley said he is still curious about [terms ending in] 2017.

Council member Naylor stated that he is hard-pressed not to vote in favor of these commissioners. He said that the special election will be monitored by the Secretary of State's office, there is a special election date, and [it is unclear what will happen if the Council] does not ratify this election commission. He noted concerns but said this is an opportunity to move forward and resolve the matter.

Following discussion, the Motion failed, receiving the negative vote of the Council as follows:

Yeas: 2 - Delgado and Naylor

Nays: 3 - Bradley, Carroll and Dryden

Yea:	2	Delgado Naylor
Nay:	3	Bradley Carroll Dryden
TEL-No Vote:	0	

Text of Legislative File 2013-0535

Title
Ratify and confirm the re-appointment of Nina Arrington Smith (W1) to the Election Commission for a four-year term beginning July 1, 2013 and ending June 30, 2017.

Summary
Election Commission, Smith, 2013-2017

Budget Information

Expenditure Type

Purchasing Item

Publication Information

BOARD/COMMISSION APPOINTMENT DATA SHEET

BOARD/COMMISSION: Election Commission

TERM OF OFFICE: 4 years PERIOD: 7/01/13 - 6/30/17

REPLACES: ____

TERM EXPIRED: x OR RESIGNED: ____ Letter attached ____

DOES THIS POSITION REQUIRE A PUBLIC OFFICIAL'S BOND? YES X NO ___

****

NAME OF PROPOSED APPOINTEE: Nina Arrington Smith

PLEASE GIVE FULL NAME, IF NICKNAME IS USED, PLEASE PUT IN PARENTHESIS ( )

ADDRESS: 3210 Fernway Drive

HOME PHONE NUMBER: 601-264-5352 WARD: 1

PLACE OF EMPLOYMENT: ____

EMPLOYMENT ADDRESS: ____

EMPLOYMENT PHONE NO.: ____ POSITION: ____

****

PERSON CONTACTED BY: Mayor Johnny DuPree DATE: ____

TO BE CONTACTED BY: ____ DATE CONTACTED: ____

AGREED TO SERVE: X DECLINED: ____

City of Hattiesburg, MS

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

Master

File Number: 2013-0533

File ID:	2013-0533	**Type:**	Regular Agenda Item	**Status:**	Denied
Version:	1	**Reference:**		**In Control:**	City Council
				File Created:	08/21/2013
Brief Title:	Election Commission, Bourne, 2013-2017			**Final Action:**	
				Minute Book Number:	MB2013-246

Title:

Ratify and confirm the re-appointment of Mary Lee Bourne (W2) to the Election Commission for a four-year term beginning July 1, 2013 and ending June 30, 2017.

Notes:

Sponsors:		**Enactment Date:**	
Attachments:	Election Commission-Bourne	**Enactment Number:**	
Contact:		**Meeting Date:**	08/21/2013
Drafter:	Kermas Eaton	**Effective Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Special Called Meeting	08/21/2013	Ratify and Confirm				Fail

Action Text: A MOTION was made by Council member Delgado and seconded by Council member Naylor to Ratify and confirm the re-appointment of Mary Lee Bourne (W2) to the Election Commission for a four-year term beginning July 1, 2013 and ending June 30, 2017.

There being no discussion, the Motion failed, receiving the negative vote of the Council as follows:

Yeas: 2 - Delgado and Naylor

Nays: 3 - Bradley, Carroll and Dryden

Yea:	2	Delgado Dryden
Nay:	3	Bradley Carroll Naylor
TEL-No Vote:	0	

Text of Legislative File 2013-0533

Title
Ratify and confirm the re-appointment of Mary Lee Bourne (W2) to the Election Commission for a four-year term beginning July 1, 2013 and ending June 30, 2017.

Summary
Election Commission, Bourne, 2013-2017

Budget Information

Expenditure Type

Purchasing Item

Publication Information

BOARD/COMMISSION APPOINTMENT DATA SHEET

BOARD/COMMISSION: Election Commission

TERM OF OFFICE: 4 years PERIOD: 7/01/13 - 6/30/17

REPLACES: Mary Lee Bourne

TERM EXPIRED: x OR RESIGNED: ____ Letter attached____

DOES THIS POSITION REQUIRE A PUBLIC OFFICIAL'S BOND? YES X NO ___

****

NAME OF PROPOSED APPOINTEE: Mary Bourne

PLEASE GIVE FULL NAME, IF NICKNAME IS USED, PLEASE PUT IN PARENTHESIS ( )

ADDRESS: 503 Cypress Ave

HOME PHONE NUMBER: 601-544-1639 WARD: 2

PLACE OF EMPLOYMENT: ____

EMPLOYMENT ADDRESS: ____

EMPLOYMENT PHONE NO.: ____ POSITION: ____

****

PERSON CONTACTED BY: Mayor Johnny DuPree DATE: ____

TO BE CONTACTED BY: ____ DATE CONTACTED: ____

AGREED TO SERVE: X DECLINED: ____

City of Hattiesburg, MS

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

Master

File Number: 2013-0536

File ID:	2013-0536	**Type:**	Regular Agenda Item	**Status:**	Denied
Version:	1	**Reference:**		**In Control:**	City Council
				File Created:	08/21/2013
Brief Title:	Election Commission, Kinnan, 2013-2017			**Final Action:**	
				Minute Book Number:	MB2013-247

Title:

Ratify and confirm the appointment of Joe Kinnan (W3) to the Election Commission for a term (7/1/13 - 6/30/17) beginning August 21, 2013 and ending June 30, 2017.

Notes:

Sponsors:		**Enactment Date:**	
Attachments:	Election Commission-Kinnan	**Enactment Number:**	
Contact:		**Meeting Date:**	
Drafter:		**Effective Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Special Called Meeting	08/21/2013	Ratify and Confirm				Pass

Action Text: A MOTION was made by Council member Delgado and seconded by Council member Naylor to Ratify and confirm the appointment of Joe Kinnan (W3) to the Election Commission for a four-year term (7/1/13 - 6/30/17) beginning August 21, 2013 and ending June 30, 2017.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

Yea: 5 Bradley
Delgado
Carroll
Naylor
Dryden

TEL-No Vote: 0

Text of Legislative File 2013-0536

Title
Ratify and confirm the appointment of Joe Kinnan (W3) to the Election Commission for a term (7/1/13 - 6/30/17) beginning August 21, 2013 and ending June 30, 2017.

Summary
Election Commission, Kinnan, 2013-2017

Budget Information

Expenditure Type

Purchasing Item

Publication Information

BOARD/COMMISSION APPOINTMENT DATA SHEET

BOARD/COMMISSION: Election Commission

TERM OF OFFICE: 4 years PERIOD: 7/01/13 - 6/30/17

REPLACES: Christy Thornton

TERM EXPIRED: x OR RESIGNED: ____ Letter attached____

DOES THIS POSITION REQUIRE A PUBLIC OFFICIAL'S BOND? YES X NO ___

****

NAME OF PROPOSED APPOINTEE: Joseph (Joe) Kinnan

PLEASE GIVE FULL NAME, IF NICKNAME IS USED, PLEASE PUT IN PARENTHESIS ( )

ADDRESS: 204 Greenwood Place

HOME PHONE NUMBER: 601-264-9664 WARD: 3

PLACE OF EMPLOYMENT: ____

EMPLOYMENT ADDRESS: ____

EMPLOYMENT PHONE NO.: ____ POSITION: ____

****

PERSON CONTACTED BY: Mayor Johnny DuPree DATE: ____

TO BE CONTACTED BY: ____ DATE CONTACTED: ____

AGREED TO SERVE: X DECLINED: ____

City of Hattiesburg, MS

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

Master

File Number: 2013-0537

File ID:	2013-0537	**Type:**	Regular Agenda Item	**Status:**	Denied
Version:	1	**Reference:**		**In Control:**	City Council
				File Created:	08/21/2013
Brief Title:	Election Commission, T Jones, 2013-2017			**Final Action:**	
				Minute Book Number:	MB2013-247

Title:

Ratify and confirm the appointment of Turner Jones (W4) to the Election Commission for a term (7/1/13 - 6/30/17) beginning August 21, 2013 and ending June 30, 2017.

Notes:

Sponsors:		**Enactment Date:**	
Attachments:	Election Commission-T Jones	**Enactment Number:**	
Contact:		**Meeting Date:**	
Drafter:		**Effective Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Special Called Meeting	08/21/2013	Ratify and Confirm				Pass

Action Text: A MOTION was made by Council member Delgado and seconded by Council member Carroll to Ratify and confirm the appointment of Turner Jones (W4) to the Election Commission for a four-year term (7/1/13 - 6/30/17) beginning August 21, 2013 and ending June 30, 2017.

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

Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor

Nays: 0

Yea: 5 Bradley
Delgado
Carroll
Naylor
Dryden

TEL-No Vote: 0

Text of Legislative File 2013-0537

Title
Ratify and confirm the appointment of Turner Jones (W4) to the Election Commission for a term (7/1/13 - 6/30/17) beginning August 21, 2013 and ending June 30, 2017.

Summary
Election Commission, T Jones, 2013-2017

Budget Information

Expenditure Type

Purchasing Item

Publication Information

BOARD/COMMISSION APPOINTMENT DATA SHEET

BOARD/COMMISSION: Election Commission

TERM OF OFFICE: 4 years PERIOD: 7/01/13 - 6/30/17

REPLACES: George Decoux

TERM EXPIRED: x OR RESIGNED: ____ Letter attached____

DOES THIS POSITION REQUIRE A PUBLIC OFFICIAL'S BOND? YES X NO ___

****

NAME OF PROPOSED APPOINTEE: Turner Jones

PLEASE GIVE FULL NAME, IF NICKNAME IS USED, PLEASE PUT IN PARENTHESIS ( )

ADDRESS: 1800 Fuller Street

HOME PHONE NUMBER: 601-606-5015 WARD: 4

PLACE OF EMPLOYMENT: ____

EMPLOYMENT ADDRESS: ____

EMPLOYMENT PHONE NO.: ____ POSITION: ____

****

PERSON CONTACTED BY: Mayor Johnny DuPree DATE: ____

TO BE CONTACTED BY: ____ DATE CONTACTED: ____

AGREED TO SERVE: X DECLINED: ____

City of Hattiesburg, MS

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

Master

File Number: 2013-0534

File ID:	2013-0534	**Type:**	Regular Agenda Item	**Status:**	Denied
Version:	1	**Reference:**		**In Control:**	City Council
				File Created:	08/21/2013
Brief Title:	Election Commission, Wade, 2013-2017			**Final Action:**	
				Minute Book Number:	MB2013-247

Title:

Ratify and confirm the re-appointment of Daisy Lee Wade (W5) to the Election Commission for a four-year term beginning July 1, 2013 and ending June 30, 2017.

Notes:

Sponsors:		**Enactment Date:**	
Attachments:	Election Commission-Wade	**Enactment Number:**	
Contact:		**Meeting Date:**	
Drafter:		**Effective Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Special Called Meeting	08/21/2013	Ratify and Confirm				Fail

Action Text: A MOTION was made by Council member Delgado and seconded by Council member Naylor to Ratify and confirm the re-appointment of Daisy Lee Wade (W5) to the Election Commission for a four-year term beginning July 1, 2013 and ending June 30, 2017.

There being no discussion, the Motion failed, receiving the negative vote of the Council as follows:

Yeas: 2 - Delgado and Naylor

Nays: 3 - Bradley, Carroll and Dryden

Yea:	2	Delgado Naylor
Nay:	3	Bradley Carroll Dryden
TEL-No Vote:	0	

Text of Legislative File 2013-0534

Title

Ratify and confirm the re-appointment of Daisy Lee Wade (W5) to the Election Commission for a four-year term beginning July 1, 2013 and ending June 30, 2017.

Summary

Election Commission, Wade, 2013-2017

Budget Information

Expenditure Type

Purchasing Item

Publication Information

BOARD/COMMISSION APPOINTMENT DATA SHEET

BOARD/COMMISSION: Election Commission

TERM OF OFFICE: 4 years PERIOD: 7/01/13 - 6/30/17

REPLACES: ______

TERM EXPIRED: x ______ OR RESIGNED: ______ Letter attached______

DOES THIS POSITION REQUIRE A PUBLIC OFFICIAL'S BOND? YES X NO ___

****

NAME OF PROPOSED APPOINTEE: Daisy Lee Wade

PLEASE GIVE FULL NAME, IF NICKNAME IS USED, PLEASE PUT IN PARENTHESIS ( )

ADDRESS: 216 Fredna Ave HOME

PHONE NUMBER: 601-582-4971 WARD: 5

PLACE OF EMPLOYMENT: ______

EMPLOYMENT ADDRESS: ______

EMPLOYMENT PHONE NO.: ______ POSITION: ______

****

PERSON CONTACTED BY: Mayor Johnny DuPree DATE:______

TO BE CONTACTED BY: ______ DATE CONTACTED:______

AGREED TO SERVE: X DECLINED:______