

City of Hattiesburg, MS

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



Meeting Agenda - Final

Friday, March 2, 2018

11:00 AM

Council Chambers

City Council - Special Called Meeting

*City Council
Special Called Meeting*

1. [2018-289](#) Adopt a Resolution requesting the Mississippi Legislature to enact
Local and Private Legislation.

Attachments:

[RES - Local and Private Legislation, 2018](#)

[RES#2018-30, executed RES - Local and Private Legislation, 2018](#)



City of Hattiesburg, MS

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

Master

File Number: 2018-289

File ID: 2018-289

Type: Resolution

Status: Passed

Version: 2

Reference:

In Control: City Council

Requester: Ann Jones

File Created: 03/02/2018

Brief Title: Resolution Requesting State Legislature for enact
Local and Private Legislation

Final Action: 03/02/2018

Minute Book Number: MB2018-49

Title:

Adopt a Resolution requesting the Mississippi Legislature to enact Local and Private Legislation.

Notes:

Agenda Date: 03/02/2018

Indexes:

Agenda Number: 1.

Sponsors:

Enactment Date:

Attachments: RES - Local and Private Legislation, 2018,
RES#2018-30, executed RES - Local and Private
Legislation, 2018

Enactment Number:

Contact:

Meeting Date: 03/02/2018

Drafter: Ann Jones

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
2	City Council - Special Called Meeting	03/02/2018	Adopt				Pass

Action Text: A MOTION was made by Council Member Delgado and seconded by Council Member George to Adopt a Resolution requesting the Mississippi Legislature to enact Local and Private Legislation.

Mayor Barker introduced the resolution, which he said would assist the university's efforts to renovate Reed Green Coliseum as well as improvements by the City to its parks and recreation and tourism facilities.

Council member George expressed appreciation to Dr. Rodney Bennett, President, and Jon Gilbert, Athletic Director, at the University of Southern Mississippi for suggesting the partnership.

Council Vice President Dryden stated that [the improvements funded by this legislation] will help to make Hattiesburg a progressive and popular destination and will encourage people to live and work in the City.

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

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

Nays: 0

Yea: 5 Delgado
Carroll
Dryden
George
Brown

Text of Legislative File 2018-289

Title

Adopt a Resolution requesting the Mississippi Legislature to enact Local and Private Legislation.

Summary

Resolution

Budget Information

Expenditure Type

Purchasing Item

Publication Information

RESOLUTION

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI, REQUESTING THE LEGISLATURE OF THE STATE OF MISSISSIPPI TO ENACT A LOCAL AND PRIVATE BILL ENABLING THE CITY OF HATTIESBURG, MISSISSIPPI, IN ITS DISCRETION, TO PROVIDE FOR A SPECIAL 1% TAX TO BE LEVIED ON THE GROSS PROCEEDS FROM HOTEL/MOTEL OVERNIGHT ROOM RENTAL AND RESTAURANTS, EXCLUDING RESTAURANTS WITH GROSS SALES LESS THAN \$100,000 ANNUALLY; TO PROVIDE THAT SUCH TAX BE COLLECTED BY THE MISSISSIPPI DEPARTMENT OF REVENUE; AND FOR RELATED PURPOSES.

WHEREAS, it appears that it is in the best interest of the citizens of Hattiesburg, Mississippi, and it will greatly foster and promote tourism and parks and recreation of the City of Hattiesburg, Mississippi, if the Mayor and City Council, acting for and on behalf of the City of Hattiesburg, are authorized to levy a special tax upon the gross proceeds from hotel/motel overnight room rental (exclusive of charges for food, telephone, laundry, beverages and similar charges) and restaurants (exclusive of restaurants with gross sales less than \$100,000.00 annually) pursuant to the provisions of the proposed act to be drawn by the City Attorney and made a part of this Resolution by reference to the same extent as if fully copied and set forth herein;

WHEREAS, this special 1% tax would be independent of any other existing tax levy affecting hotel or restaurant collections in the City of Hattiesburg;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Hattiesburg, Mississippi, as follows to wit:

1. The Legislature of the State of Mississippi is hereby requested to introduce, adopt and pass a special or local and private bill authorizing and enabling the Mayor and City Council of the City of Hattiesburg, Mississippi, for and on behalf of the City of Hattiesburg, Mississippi, within its discretion, to provide for a special tax to be levied upon the gross proceeds from hotel/motel overnight room rental, (exclusive of charges for food, telephone, laundry, beverages and similar charges), and restaurants; to provide that such tax be collected by the Mississippi Department of Revenue; and for related purposes for the period October 1, 2018, through October 1, 2028.
2. The Legislature of the State of Mississippi is hereby urged to include in its special or local and private bill the following:
 - a. Authorize the City of Hattiesburg to receive and expend revenues from any source, including, but not limited to, private enterprise and those revenues generated by this act.
 - b. The City of Hattiesburg will be authorized to levy, assess and collect from every person, firm or cooperation operating hotels, motels and restaurants in the City of Hattiesburg (and in addition to all other taxes now already imposed on hotels, motels and restaurants), an amount not to exceed 1% of the gross proceeds from overnight room rental, (exclusive of charges for food, telephone, laundry, beverages and similar charges) and restaurants.
 - c. Persons liable for the tax imposed herein shall add the amount of the tax to the aforesaid room rental and restaurant check and collect the same.
 - d. For the purposes of this act, the words "hotel" and "motel" shall mean a place of lodging that at any one time will accommodate transient guests on a daily

or weekly basis. The words “restaurant” shall include all places where prepared food and beverages are sold for consumption, whether such food is consumed on the premises or not. “Restaurant” as defined herein does not include any school, hospital, convalescent or nursing home, or any restaurant-like facility operated by or in connection with a school, hospital, medical clinic, convalescent or nursing home providing food for students, patients, visitors and their families, or any restaurant having annual gross sales of less than One Hundred Thousand Dollars (\$100,000).

- e. The tax collected shall be paid to the Mississippi Department of Revenue on a form prescribed by them and in the same manner that State sales taxes are computed, collected and paid, and the full enforcement provisions and all other provisions of Chapter 27, Title 65, Mississippi Code of 1972, shall apply as necessary to the implementation and administration of this act.
- f. The proceeds of such tax shall be paid to the City of Hattiesburg on or before the 15th day of the month following the month in which collected.
- g. Proceeds of the tax shall not be considered by the City of Hattiesburg as general fund revenues, but shall be dedicated solely for the purpose of promoting tourism and carrying out parks and recreation improvements. The City of Hattiesburg shall be authorized to transfer half of all proceeds to the University of Southern Mississippi on a monthly basis for the purpose of carrying out improvements to athletic facilities, particularly Reed Green Coliseum, for the promotion of tourism in the City of Hattiesburg.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by _____, seconded by _____, and was adopted by the following vote, to wit:

YEAS:

NAYS:

The President thereby declared the motion carried and the Resolution adopted, on this ____day of _____, A.D., _____.

(SEAL)

ATTEST:

ADOPTED:

CLERK OF COUNCIL

PRESIDENT OF COUNCIL

The above and foregoing Resolution having been submitted to and approved by the Mayor, this ____ day of _____, A.D.,_____.

ATTEST:

APPROVED:

CITY CLERK

MAYOR

RESOLUTION

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI, REQUESTING THE LEGISLATURE OF THE STATE OF MISSISSIPPI TO ENACT A LOCAL AND PRIVATE BILL ENABLING THE CITY OF HATTIESBURG, MISSISSIPPI, IN ITS DISCRETION, TO PROVIDE FOR A SPECIAL 1% TAX TO BE LEVIED ON THE GROSS PROCEEDS FROM HOTEL/MOTEL OVERNIGHT ROOM RENTAL AND RESTAURANTS, EXCLUDING RESTAURANTS WITH GROSS SALES LESS THAN \$100,000 ANNUALLY; TO PROVIDE THAT SUCH TAX BE COLLECTED BY THE MISSISSIPPI DEPARTMENT OF REVENUE; AND FOR RELATED PURPOSES.

WHEREAS, it appears that it is in the best interest of the citizens of Hattiesburg, Mississippi, and it will greatly foster and promote tourism and parks and recreation of the City of Hattiesburg, Mississippi, if the Mayor and City Council, acting for and on behalf of the City of Hattiesburg, are authorized to levy a special tax upon the gross proceeds from hotel/motel overnight room rental (exclusive of charges for food, telephone, laundry, beverages and similar charges) and restaurants (exclusive of restaurants with gross sales less than \$100,000.00 annually) pursuant to the provisions of the proposed act to be drawn by the City Attorney and made a part of this Resolution by reference to the same extent as if fully copied and set forth herein;

WHEREAS, this special 1% tax would be independent of any other existing tax levy affecting hotel or restaurant collections in the City of Hattiesburg;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Hattiesburg, Mississippi, as follows to wit:

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 - b. The City of Hattiesburg will be authorized to levy, assess and collect from every person, firm or cooperation operating hotels, motels and restaurants in the City of Hattiesburg (and in addition to all other taxes now already imposed on hotels, motels and restaurants), an amount not to exceed 1% of the gross proceeds from overnight room rental, (exclusive of charges for food, telephone, laundry, beverages and similar charges) and restaurants.
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or weekly basis. The words "restaurant" shall include all places where prepared food and beverages are sold for consumption, whether such food is consumed on the premises or not. "Restaurant" as defined herein does not include any school, hospital, convalescent or nursing home, or any restaurant-like facility operated by or in connection with a school, hospital, medical clinic, convalescent or nursing home providing food for students, patients, visitors and their families, or any restaurant having annual gross sales of less than One Hundred Thousand Dollars (\$100,000).

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The above and foregoing Resolution, after having been first reduced to writing, was introduced by Council member Delgado, seconded by Council member George, and was adopted by the following vote, to wit:

YEAS: George
Delgado
Carroll
Dryden
Brown

NAYS: None

The President thereby declared the motion carried and the Resolution adopted, on this 2nd day of March, A.D., 2018.

(SEAL)

ATTEST:


CLERK OF COUNCIL

ADOPTED:


PRESIDENT OF COUNCIL

The above and foregoing Resolution having been submitted to and approved by the Mayor, this 2nd day of March, A.D., 2018.

ATTEST:


CITY CLERK

APPROVED:


MAYOR