Call to Order

BE IT REMEMBERED that the **regular meeting of the Hattiesburg City Council was held at 4:00 p.m. Tuesday, May 5, 2020**, in Jackie Dole Community Center Auditorium.

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.

Call to Prayer and Pledge of Allegiance

The prayer was given by Kermas Eaton, City Clerk.

The Pledge of Allegiance was led by Council President Carroll.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

Citizens' Forum

Council Vice President Dryden proceeded with the Citizens' Forum.

She stated the procedures and invited members of the public to speak.

The following citizens addressed the Council:

- Greg Prine, 229 West Pine Street

There were no other citizens present who wished to address the Council.

Council Vice President Dryden closed the Citizen Forum.

Agenda Adjustments

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Add Policy Item #18 at the request of the Administration as follows:

18. **2020-292** Approve contract between City of Hattiesburg and Republic Services to provide recycling services and authorize Mayor to execute contract upon legal review.

Attachments: Documents-A205655330_for_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

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. **2020-285** Approve the minutes for the April 21, 2020 meeting of the City Council.

Attachments: 4-21-2020 Mins.

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve the minutes for the April 21, 2020 meeting 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

2. **2020-274** Adopt an Ordinance for the petition filed by Vixon Sullivan, Owner, to change the zoning classification for certain properties located at 100 Evans Street (Parcel 2-029I-10-075.00, PPIN 15583, Parcel 2-029I-10-074.00, PPIN 15584, and Parcel 2-029I-10-066.00, PPIN 15585, Ward 2) from Section 4.5.12, B-5 (Regional Business) District to Section 4.5.11, B-4 (Downtown Business) District. The Planning Commission recommended to Approve on April 01, 2020.

Attachments: APRIL HPC Minutes
hpc item a april 2020
Ordinance - 100 Evans

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt an Ordinance (#3273) for the petition filed by Vixon Sullivan, Owner, to change the zoning classification for certain properties located at 100 Evans Street (Parcel 2-029I-10-075.00, PPIN 15583, Parcel 2-029I-10-074.00, PPIN 15584, and Parcel 2-029I-10-066.00, PPIN 15585, Ward 2) from Section 4.5.12, B-5 (Regional Business) District to Section 4.5.11, B-4 (Downtown Business) District. The Planning Commission recommended to Approve on April 01, 2020.

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

3. **2020-276** Approve or Deny the petition filed by Chase Fisher, Representative, GCHP/Beverly Land, LLC/Village at the Beverly II, LP, Owner, to amend the previously approved Planned Mixed Use-Planned Unit Development (PMU-PD) in a B-3 (Community Business) District for a portion of a certain property located at 111 Brady Rd. (15 Old Airport Rd.)(Parcel 2-041G-27-017.00, PPIN 29647, Ward 5). The Planning Commission recommended to Approve with Stipulations on April 01, 2020.

Attachments: APRIL HPC Minutes
hpc item b april 2020

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve the petition filed by Chase Fisher, Representative, GCHP/Beverly Land, LLC/Village at the Beverly II, LP, Owner, to amend the previously approved Planned Mixed Use-Planned Unit Development (PMU-PD) in a B-

3 (Community Business) District for a portion of a certain property located at 111 Brady Rd. (15 Old Airport Rd.)(Parcel 2-041G-27-017.00, PPIN 29647, Ward 5). The Planning Commission recommended to Approve with Stipulations on April 01, 2020.

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

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

Nays: 0

4. **2020-270** Adopt Resolution setting Public Hearing on Tuesday, June 16, 2020 at 4:00 p.m. in the City Council Chambers 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, according to the provision of MS Code 1972, section 21-19-11.

Attachments: Request to Set Public Hearing-CE 5 5 2020 v2
Set Public Hearing Unsafe Properties Resolution 5-5-2020 v2

A MOTION was made by Council Jeffrey George and seconded by Council Vice President Dryden to Adopt Resolution (#2020-135) setting Public Hearing on Tuesday, June 16, 2020 at 4:00 p.m. in the City Council Chambers 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, according to the provision of MS Code 1972, section 21-19-11.

An AMENDMENT to the Resolution was made by Council Member George and seconded by Council Vice President Dryden to change the Public Hearing location to be held in the City Council Chambers or any such location as deemed necessary.

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

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

Nays: 0

5. **2020-271** Adopt Resolutions adjudicating and directing the placement as an assessment for the cleanup costs and applicable penalties, not to exceed the values prescribed by State law, against the following properties.

Attachments: Request for Adjudication 5 5 2020
1. 704 Ellis Ave
2. 501 Ruby Ave
3. 608 Mamie St
4. Parcel 2-029I-10-043 00 E 2nd St
5. 717 Clairborne Ave
6. 2-030L-11-229 00 E Hardy St
7. 2-030L-11-230 00 E Hardy St
8. 418 S 14th Ave
9. 315 Miller St
10. 311 Park Ave
11. 351 Emerson Drive
12. 202 N 23rd Ave
13. 202 N 14th Ave
14. 1705 1st Terrace
15. 713 Duane St
16. 111 Dearborne St
17. 117 Dearborne St
18. 701 Claiborne Ave
19. 509 Francis St
20. 511 Francis St

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt Resolutions (#2020-136-155) adjudicating and directing the placement as an assessment for the cleanup costs and applicable penalties, not to exceed the values prescribed by 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

6. **2020-289** Adopt a Resolution approving the issuance of a Free Port Warehouse License to Dirt Cheap Building Supplies, LLC and granting the appropriate exemption pursuant to Section 27-31-51,et.seq., of the Mississippi Code.

Attachments: Dirt Cheap App-6633
Dirt Cheap Fee Payment-6633
Dirt Cheap Free Port Lic-6633
Dirt Cheap Reso Free Port-2020

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt a Resolution (#2020-156) approving the issuance of a Free Port Warehouse License to Dirt Cheap Building Supplies, LLC (site location 6633 Hwy 49 North) and granting the appropriate exemption pursuant to Section 27-31-51,et.seq., of the Mississippi Code.

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

7. **2020-287** Adopt a Resolution approving the issuance of a Free Port Warehouse License to Dirt Cheap Building Supplies, LLC and granting the appropriate exemption pursuant to Section 27-31-51, et.seq., of the Mississippi Code.

Attachments: Dirt Cheap- Freeport Lic-5154
Dirt Cheap- App 5154
Dirt Cheap Reso Free Port-2020
Dirt Cheap Fee payment- 5154

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt a Resolution (#2020-157) approving the issuance of a Free Port Warehouse License to Dirt Cheap Building Supplies, LLC (location site 5154 Hwy 42) and granting the appropriate exemption pursuant to Section 27-31-51, et.seq., of the Mississippi Code.

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

8. **2020-288** Adopt a Resolution approving the issuance of a Free Port Warehouse License to Dirt Cheap Building Supplies, LLC and granting the appropriate exemption pursuant to Section 27-31-51, et.seq., of the Mississippi Code.

Attachments: Dirt Cheap Fee Payment-6892
Dirt Cheap Free Port Lic-6892
Dirt Cheap App- 6892
Dirt Cheap Reso Free Port-2020

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt a Resolution (#2020-158) approving the issuance of a Free Port Warehouse License to Dirt Cheap Building Supplies, LLC (location site 6892 Hwy 49 North) and granting the appropriate exemption pursuant to Section 27-31-51, et.seq., of the Mississippi Code.

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

9. **2020-290** Adopt a Resolution approving the issuance of a Free Port Warehouse License to Kohler and granting the appropriate exemption pursuant to Section 27-31-51, et.seq., of the Mississippi Code.

Attachments: Kohler Fee Payment
Kohler App 20
Kohler- Inventory 20
Kohler Reso- 20
Kohler Lic-20

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt a Resolution (#2020-159) approving the issuance of a Free Port Warehouse License to Kohler and granting the appropriate exemption pursuant to Section 27-31-51, et.seq., of the Mississippi Code.

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

10. **2020-284** Adopt a Resolution authorizing Requisition No. 63 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: Project Resolution Requisition 2016 Bonds No. 63
2016 Bond Resolution No. 63

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Adopt a Resolution (#2020-160) authorizing Requisition No. 63 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

11. **2020-267** Approve Professional Services Agreement with Shows, Dearman and Waits, Inc. for a drainage study of the Audubon-Kirkwood and Innswood Neighborhoods and authorize the Mayor to execute in duplicate.

Attachments: SDW Agreement

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Professional Services Agreement with Shows, Dearman and Waits, Inc. for a drainage study of the Audubon-Kirkwood and Innswood Neighborhoods and authorize the Mayor to execute in duplicate.

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

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

Nays: 0

12. **2020-283** Approve Supplemental Agreement to the Agreement for Professional Services between the City and Neel-Schaffer, Inc. for the Hall Avenue Overpass Project and authorize the Mayor to execute in duplicate.

Attachments: 4-8-20 Hall Ave - Contract Amendment (002)
Executed contract with Neel-Schaffer - Hall Avenue Overpass Project

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Supplemental Agreement to the Agreement for Professional Services between the City and Neel-Schaffer, Inc. for the Hall Avenue Overpass Project and 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

13. **2020-282** Approve Feasibility Review Reimbursement Agreement between the City and Norfolk Southern Railway Company for the Hall Avenue Overpass Project and authorize the Mayor to execute in duplicate.

Attachments: Feasibility Review Reimbursement Agreement Form

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Feasibility Review Reimbursement Agreement between the City and Norfolk Southern Railway Company for the Hall Avenue Overpass Project and 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

14. **2020-286** Approve Professional Services Contract with Jeff Byrd as designated operator of record for the Hattiesburg water system and authorize the Mayor to execute the same.

Attachments: Water Plant Operator of Record Agreement May 2020

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve Professional Services Contract with Jeff Byrd as designated operator of record for the Hattiesburg water system and authorize the Mayor to execute the same.

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

Yeas: 4 - George, Carroll, Dryden and Brown

Nays: 1- Delgado

15. **2020-291** Approve payment and authorize manual checks in the amount of $8,352.45 to Courtesy Realty, LLC and TNM Realty, LLC for 2019 prorated taxes associated with property located at 1410 W. Pine Street *Old Courtesy Ford Building*.

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve payment and authorize manual check in the amount of $8,352.45 to Courtesy Realty, LLC and TNM Realty, LLC for 2019 prorated taxes associated with property located at 1410 W. Pine Street *Old Courtesy Ford Building*.

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

16. **2020-268** Acknowledge receipt of the award for the Substance Abuse and Mental Health Services Administration (SAMSHA) Treatment Drug Courts Grant in the amount of $385,230 for the continuation of the Hattiesburg Behavioral Health Court Treatment Expansion project, covering the period May 31, 2020 through May 30, 2021.

Attachments: SAMHSA_NOA_5H79TI081923-02

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Acknowledge receipt of the award for the Substance Abuse and Mental Health Services Administration (SAMSHA) Treatment Drug Courts Grant in the amount of $385,230 for the continuation of the Hattiesburg Behavioral Health Court Treatment Expansion project, covering the period May 31, 2020 through May 30, 2021.

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

17. **2020-279** Ratify and confirm the Mayor's reappointment of Amy Hinton (Ward 1) to the Planning Commission for a term beginning May 13, 2020 and ending May 12, 2025.

Attachments: Data Sheet - Amy Hinton 2020

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Ratify and confirm the Mayor's reappointment of Amy Hinton (Ward 1) to the Planning Commission for a term beginning May 13, 2020 and ending May 12, 2025.

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

18. **2020-292** Approve contract between City of Hattiesburg and Republic Services to provide recycling services and authorize Mayor to execute contract upon legal review.

Attachments: Documents-A205655330_for_City_of_Hattiesburg

A MOTION was made by Council Member George and seconded by Council Vice President Dryden to Approve contract between City of Hattiesburg and Republic Services to provide recycling services and authorize Mayor to execute contract upon legal review.

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

Yeas: 4 - George, Carroll, Dryden and Brown

Nays: 1 - Delgado

ROUTINE AGENDA

THE ROUTINE AGENDA came before the Council.

A MOTION was made by Council Member George and seconded by Council member Council Vice President Dryden 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

1. **2020-269** Acknowledge Proof of Publications for the month of March 2020.

Attachments: Proof of Publication Hub City Spokes March 2020

2. **2020-275** Acknowledge bids received March 12, 2020 for the Drainage at 6200 Hwy 98 W project and reject all bids as exceeding cost estimates.

Attachments: Certified Bid Tab
Letter from City Engineer

3. **2020-278** Acknowledge bids received March 19, 2020 for the Cross Creek Pump Station Rehab Project and reject all bids as exceeding cost estimates.

Attachments: 1273S015_Bid Tabulation
Letter from City Engineer

4. **2020-280** Authorize publication of Notice of Public Hearing regarding the City of Hattiesburg Drinking Water System Improvements Project.

Attachments: 1273-W015_Notice of Public Hearing

5. **2020-281** Approve and authorize issuance of manual checks for CDBG Program Claims per attached Memorandum. {Entitlement CDBG}

Attachments: Memo CDBG Manual Checks 050520
Invoice 3 - Longstreet Rehab_05052020

6. **2020-272** Approve the sale of grave spaces, per attached Memo's, Receipts, and Deeds.

Attachments: Memo's (05-05-2020)
Receipts (05-05-2020)
Deeds (05-05-2020)

7. **2020-273** Approve claims docket for the period ending April 30, 2020.

Attachments: 04-30-20 Docket
Addendum to the claims docket

In Memoriam:

- Mr. Louis Hilton, Jr.
- Ms. Lula Russell
- Ms. Viola Williams Rhodes
- Ms. Hattie Robinson
- Mrs. Leighton Hill

Meeting Adjourn

By unanimous consent, Council President Carroll declared the **meeting adjourned at 4:39 p.m., this 5th day of May, 2020.**

ATTEST: **APPROVE:**

Clerk of Council **Council President**

ATTEST AND CERTIFY: **APPROVE:**

City Clerk **Mayor**