

City of Hattiesburg, MS

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



Minutes Report

Monday, December 5, 2016

4:00 PM

Council Chambers

City Council

BE IT REMEMBERED that the Hattiesburg City Council held a public hearing at 4:00 p.m., Monday, December 5, 2016, in Council Chambers at City Hall for the appeal filed by Leonard Busby, Capturion Network, LLC, to appeal the Urban Development Director's denial of a request to convert a static billboard to a tri-vision billboard located at 5012 US Highway 98; Pattie Brantley, Urban Development Director, denied the application on October 10, 2016 based on LDC 95.12 2.

Those present included Mayor Johnny L. DuPree and members of the City Council Kim Bradley, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Mary Dryden, Ward 4; and Henry Naylor, Ward 5. Others in attendance included Director of Administration/City Clerk, Kermas Eaton; Chief Financial Officer, Sharon Waits; City Engineer, Lamar Rutland; Fire Chief, Paul Presley; Assistant Fire Chief, Eddie Wilson; Police Chief, Anthony Parker; Assistant Police Chief, Frank Misenhelter; Director of Public Works, Larry Barnes; Director of Federal and State Programs, La'Keylah White; Director of Urban Development, Pattie Brantley; Planning Administrator, Ginger Maddox; Code Enforcement Manager, Mark Jordan; City Attorney, Annie Amos; Assistant to the Mayor, Valerie Arnold; Clerk of Council, Debbie Bernardo; Deputy Clerk of Council, Lisa Luu; media; and the public.

The MEETING was called to order by Council President Carroll.

1. **2016-24** Hold public hearing for appeal filed by Leonard Busby, Capturion Network, LLC, to appeal the Urban Development Director's denial of a request to convert a static billboard to a tri-vision billboard located at 5012 US Highway 98; Pattie Brantley, Urban Development Director, denied the application on October 10, 2016 based on LDC 95.12 2.

1. 5012 US Hwy 98 - Sign Application - Billboard
2. Appeal Letter - Capturion Network October 17 2016

Council President Carroll stated that the public hearing will be rescheduled at the request of the petitioner, who is out of town.

Council President Carroll closed the public hearing at 4:00 p.m., this the 5th day of December, A.D., 2016.

- 2017-1** Appeal Public Hearing for Leonard Busby, Capturion Network, LLC, Sign-In Sheet, 12-5-16.

1. Appeal Public Hearing Sign-In Sheet, 12-5-16

Mayor DuPree introduced Dr. Wes Johnson, professor of criminal justice at The University of Southern Mississippi, who provided an update on the City's Behavioral Health Court Program and discussed details of a federal grant the court has received from the Department of Justice and Bureau of Justice Administration. Dr. Johnson said that Hattiesburg began the state's first behavioral health court in the state in 2007 as a way of addressing the needs of a revolving door population between the jail and the street and back. He also introduced three representatives of the Council of State Governments, here to work to discuss issues of sustaining the behavioral court after the grant funding period ends: Judge Steve Goss, an active State Circuit Judge for Albany, Georgia; Dr. Allison Upton, a psychologist and Senior Policy Analyst for the Council State Governments' Justice Center; and Sarah Wurzburg, Grantee Technical Assistance Manager for the Council of State Governments. Judge Goss and Dr. Upton both gave a brief overview of their experiences dealing with behavioral health cases. Dr. Johnson concluded the presentation and thanked the Council for the support.

Council President Carroll proceeded with the Agenda Review.

The Clerk of Council read aloud one amendment, to Remove Policy Agenda Item VI.-6 at the request of the Administration.

Following discussion of the agenda items, Council President Carroll closed the Agenda Review.

Council President Carroll called for additional business.

Council President Carroll stated that has been told that Chief Presley has said that the Mayor will no longer allow firemen to earn overtime pay. President Carroll said he does not believe what he heard, but wanted to address the matter in a public meeting to confirm his position that the City will need to continue paying overtime until the Fire Department recruits more firemen, probably for two or three more classes. He stated that the Council does not want to have short staffing at stations or on trucks, and that overtime will be necessary, despite recent media reports.

Mayor DuPree attributed the information to social media and responded that the City is not stopping overtime for the firemen, but can be more efficient and maximize services, such as paramedics and EMTs, offered to citizens. The Mayor stated that anyone could look at the budget and see overtime pay for the Police Department and for the Fire Department.

Council President Carroll said that he wanted to address this matter to the public and make it clear that the Administration and the City Council supports hiring a full staff for the Fire Department.

Chief Presley commented that he did not state that the Mayor for firemen.

Council Member Bradley said he considers the \$500 incentives that the firemen are getting for EMT and other skills training to be too low, and said the Administration and the Council need to discuss increasing the incentives. Council Member Bradley talked about specific salary and promotion issues that discourage retention, and said that discussions must be held about incentives to help retain firemen, and police officers as well.

Chief Presley said he had discussed incentives and pay raises in a recent memo, and asked Council members if they read it.

Council President Carroll stated that he has, but would like to hire a consultant to suggest improvements to the Fire Department's process. Chief Presley said that pay is the issue.

Council Member Bradley said he would like to come to the next Civil Service Board Meeting; he asked why the City's Fire Department uses their own personnel to handle the Civil Service exams and suggested that the Fire and Police Departments use third party administrators; he said Laurel and other cities use third party administrators to handle and grade their Civil Service exams and to keep politics out of the process.

Chief Presley responded that Laurel's Fire Chief is trying to get away from using a third party administrator because of the expense; Chief Presley said he uses external resources for interviews.

Council Vice President Dryden said that she was told that firemen used to work two jobs, but can no longer hold second jobs because short-staffing at the Fire Department has meant they are scheduled for back-to-back shifts. Chief Presley commented that the shifts not changed.

Council Vice President Dryden read aloud an email from a citizen about City firemen stealing from a UPS truck. She said she explained to the citizen that the Council cannot hire, fire or direct any City employees under the Mississippi State Code, and asked how to handle the citizen's concerns, as she has no information on how the UPS situation was handled.

2017-2 Concerned Citizen Email to Council Vice President Dryden, 12-5-16.

1. Email to MD, 12-5-16

Chief Presley said that the Pre-Action Committee was established about three months ago and has been investigating the matter. He said UPS did not press any charges, and that the Pre-Action Committee decided to demote, rather than the firemen due to personnel circumstances.

Mayor DuPree commented that this is the wrong venue to discuss this matter.

Council Vice President Dryden responded that the public knew about it and that it therefore, is appropriate for discussion.

Council Member Bradley agreed with Council Vice President Dryden.

Council Member Delgado expressed support for salary increases for Code Enforcement. She also announce that new Rails Inspector, Ricky Hutchins, can be contacted at 601-942-4771 or 601-359-7910; when a train that has been stopped at the tracks for longer than ten minutes.

Planner Ginger Maddox responded to questions from Council Vice President Dryden regarding flood insurance certification.

Council member Naylor proceeded with the Citizen Forum. He stated the procedures and invited members of the public to speak.

Joseph Rawson, 701 Dearborne Road, appeared before the Council regarding his previous request that they surrender and regarding their job responsibilities.

Callison Richardson, 217 South 21st Avenue, appeared before the Council regarding water problems at her property. Ms. Richardson presented samples of the discolored water that comes out of her faucet and discussed the amount of bottled water she has purchased per week due to the discolored water. She said it has been going on four months, and other citizens in the neighborhood deal with same water issue. Ms. Richardson also addressed the difficulties she has experienced in getting someone from the City to come look at a sinkhole in the avenue behind her home, where the scent of raw sewage exists; she said a crew worker told her that it will take approximately three years for the issues to be repaired. Ms. Richardson asked if something could be done sooner and said she cannot wait three years; Mayor DuPree responded that Mr. Rutland and Mr. Frierson would speak with her after the meeting.

Andrea Saffle, Director of the Historic Hattiesburg Downtown Association (HHDA), announced that Mississippi Power has

given the Downtown Association \$10,000 to help fund the Façade Grant Program. She said the program is specifically for new downtown businesses and that grants range from \$1,000 - 1,500. Ms. Saffle also thanked the City for sponsoring the holiday Candle Lighting and thanked the Public Works and Parks and Recreation Departments for help in extinguishing the candles.

Council Member Naylor thanked Ms. Saffle and expressed appreciation for the new Façade Grant Program.

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

Council member Naylor closed the Citizens' Forum.

2017-3 Citizens' Forum Sign-In Sheet, 12-5-16.

1. Citizens' Forum Sign-In Sheet, 12-5-16.

Council President Carroll proceeded with the Work Session, which included discussions of the Proposed Land Development Code, a request from the Historic Hattiesburg Downtown Association, the Homeless Encampment behind Walmart on Highway 49 and Maintenance of Highway 49 between William Carey and north of Broadway Drive.

Mayor DuPree left the room at 5:25 p.m.

Council Member Bradley left the room at 5:25 p.m. and did not return.

Council Member Naylor left the room at 5:29 p.m.

A MOTION was made by Council Member Delgado and seconded by Council Vice President Dryden to consider the need to go into Executive Session to discuss property acquisition matters in accordance with Mississippi Code Section 25-41-7 (g).

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

Yeas: 3 – Carroll, Delgado and Dryden

Nays: 0

Absent: 2 – Bradley and Naylor

A MOTION was made by Council Member Delgado and seconded by Council Vice President Dryden to go into Executive Session to discuss property acquisition matters in accordance with Mississippi Code Section 25-41-7 (g).

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

Yeas: 3 – Carroll, Delgado and Dryden

Nays: 0

Absent: 2 – Bradley and Naylor

Council Member Naylor returned to the meeting at 5:31 p.m.

Mayor DuPree returned to the meeting at 5:32 p.m.

Those present for the Executive Session were Mayor DuPree; Council members Delgado, Carroll, Dryden and Naylor; Mr. Eaton; Attorney Amos; Mr. Rutland; Mr. Barnes; and Ms. Bernardo.

No action was taken during Executive Session.

A MOTION was made by Council Member Delgado and seconded by Council Vice President Dryden to come out of Executive Session and re-open the meeting to the public at 5:44 p.m.

By unanimous consent, Council President Carroll closed the meeting at 5:45 p.m., this the 5th day of December, A.D., 2016.